

# The future of Australian environmental law: Politics, reform and community activism

**2 Day Conference - Thursday 20th and Friday 21st October, 2016**  
**EcoCentre Griffith University, Nathan Campus, Brisbane**



## **Join us for an important discussion about Australia's environmental law and governance**

With the removal of Australia's carbon price in 2014 and Australian governments continuing to ignore climate science and build our economic future on the mining and consumption of fossil fuels, what hope is there to protect our natural world? Is environmental law able to protect the environment – or is it all just politics? What role will law reform and community activism play in building stronger environmental governance in Australia in the future? And can our laws and institutions keep up with innovative social movements to protect the Earth community? Join us for a timely discussion about the role of environmental law and governance in Australia. Our two day conference will bring together members of the judiciary, climate change lawyers and experts, leaders from the environmental NGO sector, lawyers from public interest environmental law centres, community groups, academics and regulators. Attendees can claim continuing education (CPD) points for each session of this conference.

### **MORE INFORMATION**

**Website** - <http://www.earthlaws.org.au/aela-conference-2016/>

**Facebook** - <https://www.facebook.com/events/491415884391513/>

**Contact** - [conference16@earthlaws.org.au](mailto:conference16@earthlaws.org.au)

### **REGISTRATION - 2 DAYS**

- \$360 standard rate
- \$180 concession/student
- \$60 conference dinner (Friday evening, 21 October)

Registration closes Thursday 13 October, or when tickets are sold out. To register your place, visit—<https://trybooking.com/204389>



australian earth laws alliance

# The future of Australian environmental law: politics, reform and community activism

20 & 21 October 2016, Brisbane

PROGRAM—Thursday 20th October 2016

- 8.30 Registration, tea and coffee
- 9.15 Welcome and opening remarks - Dr Michelle Maloney, AELA
- 9.30 **The future of environmental law and governance in Australia**
- David Ritter, CEO Greenpeace Asia Pacific
  - Kelly O'Shanassy, CEO Australian Conservation Foundation

## 10.30 MORNING TEA

- 11.00 **Climate change law and policy - where to from here?**
- Professor Brendan Mackey, Director, Griffith Climate Change Response Program
  - Professor Jacqueline Peel, Melbourne Law School
- 12.00 **Public interest environmental law - future directions**
- Jo Bragg, CEO, Environmental Defender's Office Queensland
  - Sue Higginson, CEO, Environmental Defender's Office NSW
  - Brendan Sydes, CEO, Environmental Justice Australia

## 1.00 LUNCH

## 2.00 PARALLEL SESSION 1 (2.00pm to 3.00pm)

### SESSION 1.1 - PANEL NEW APPROACHES TO CLIMATE LITIGATION

Room: Red Room  
Chair: Ariane Wilkinson, EJA

**Michael Berkman,**  
Environmental Defenders  
Office Qld

**Danny Noonan,** University  
of Sydney

**Janelle Rees,** Southern Cross  
University

### SESSION 1.2 - PRESENTATIONS ANIMAL LAW

Room: Purple Room  
Chair: Dr Meg Good, UTAS

**Ass. Professor Jackson  
Walkden-Brown,** Bond Univer-  
sity, "Power, knowledge and  
welfare in Australian intensive  
farm animal production"

**Dr Tom Baxter,** University of  
Tasmania and **Dr Jed Good-  
fellow,** RSPCA Australia and  
**Macquarie University** "The  
Future of Australian Animal Law  
and Forestry Law"

**Chay Neal,** Animal Liberation  
Qld "Activism and the law: the  
Greyhound racing ban in NSW"

### SESSION 1.3- PRESENTATIONS PROTECTING ECOSYSTEMS

Room: Canopy Room  
Chair: Erin O'Donnell, Melb Uni

**Elisa Nichols,** Executive  
Director, Office of the Great  
Barrier Reef, Qld Dept of EHP,  
"Protecting the Great Barrier  
Reef"

**Bruce Lindsay,** Environmental  
Justice Australia "A new 'law of  
the river' - the Yarra River Protec-  
tion Act"

**Dr Anne Poelina,** Madjulla Inc.  
and **Dr Michelle Lim,** Griffith  
University, "Effective and  
equitable legal frameworks for  
biodiversity management in the  
Mardoowarra (Fitzroy) River: a  
systems approach"

## 3.00 AFTERNOON TEA

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## PROGRAM—THURSDAY 20TH OCTOBER

### 3.30 PARALLEL SESSION 2 (3.30 - 4.45pm)

#### SESSION 2.1 -

#### CONTESTED LANDSCAPES

Room: Red Room

Chair: Janelle Rees, SCU

**Tanya Howard, University of New England** “Frustration, fear and the tragic case of R v Ian Robert Turnbull”

**Dr Rowena Maguire and Dr Hope Johnson, QUT** “What can the past tell us about the future of vegetation management protection in Queensland?”

**Dr Philippa England, Griffith University Law School** “Developing the urban floodplain: can the precautionary principle prevail over the technical fix?”

#### SESSION 2.2 -

#### SUSTAINABLE FOOD AND RENEWABLE ENERGY

Room: Purple Room

Chair: Jade Watson, AELA

**Dr Angela Daly, QUT** “Laws governing renewable energy: roadblocks or encouragements?”

**Gerald Arends, Pegasus Legal,** “Not all Electrons are Created Equal: the Coming of Age of Power Purchase Agreements in the Renewable Energy Industry”

**Robert Pekin, Food Connect Foundation Queensland,** “New legal structures for business as unusual”

#### SESSION 2.3-

#### ACCOUNTABILITY IN DECISION MAKING

Room: Canopy Room

Chair: Jo Bragg, EDO

**Deborah Brennan, Qld Dept of Environment & Heritage,** “Chain of responsibility legislation in Qld”

**Anna Huggins, Mark Baker-Jones, Melanie Baker-Jones and Donovan Burton** “A Decision Making Framework for Local Governments’ Climate Adaptation Decisions”

**Ariane Wilkinson, EJA** “Licence to Dig: The accountability of multi-national corporations for foreign environmental offences when applying for environmental regulatory approvals in Australia”

### 4.45 Conference close - The Gallery

5.30 Chartered bus leaves Griffith EcoCentre for the Brisbane Powerhouse, Newfarm

6.00 -

7.45

#### **Rights of Nature 2016 (RONA16) - National Art Exhibition, Brisbane Powerhouse, Newfarm**

Join us for a fantastic evening of art, wine and great conversation. Conference delegates are invited to board the AELA Earth Arts Bus at 5.30pm, for a trip across the river to the Brisbane Powerhouse. At the Powerhouse, we'll enjoy drinks, nibbles and a special show of nature inspired film projections called *'Traverse'*. We'll then have a guided tour through the visual art exhibition *'Plenty'*. *Plenty* is an exhibition that brings together prominent and emerging Australian artists to engage with questions about our interconnectedness and dependence on the natural world. The exhibition is a central part of AELA's 2016 Earth Arts program - RONA16 - and is curated by Associate Professor Marian Drew, Griffith University College of Arts in consultation with Dr Michelle Maloney, AELA. For more information about RONA16 —visit [www.rona16.org.au](http://www.rona16.org.au)

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## PROGRAM—FRIDAY 21 OCTOBER

- 8.30 Registration
- 9.00 Welcome and opening remarks - Dr Michelle Maloney, National Convenor, AELA
- 9.15 **The future of Australian environmental law - perspectives from the Judiciary**
- His Hon. Brian Preston, Chief Justice of the NSW Land and Environment Court
  - Her Hon. Judge Susan Cole, Environment, Resources and Development Court, South Australia
  - His Hon. Judge Michael Rackemann, Planning and Environment Court, Queensland

### 10.45 MORNING TEA

- 11.15 **Community activism and the law**
- Professor Matthew Rimmer, QUT
  - Aidan Ricketts, Southern Cross University
  - Dr Nicole Rogers, Southern Cross University
- 12.15 **Future law**
- Professor Irene Watson, University of South Australia and the Tangane-kald and Meintangk First Nations Peoples - Indigenous perspectives of western environmental law
  - Bruce Lindsay, Environmental Justice Australia - Places You Love and the APEEL Process
  - Dr Michelle Maloney, AELA - Earth Laws and the Rights of Nature

### 1.15 LUNCH

### 2.15 PARALLEL SESSION 3 (2.15 - 3.30pm)

#### SESSION 3.1 - HUMAN RIGHTS AND NATURE'S RIGHTS

Room: Red Room

Chair: Jade Watson, AELA

**Dr Meg Good, UTAS**, "Legal recognition of the human right to a healthy environment : useful, redundant or dangerous?"

**Erin O'Donnell, University of Melbourne and J Talbot-Jones, ANU** "Using the corporation to protect rivers in Australia and NZ: integrating rights of nature in existing legal frameworks"

**Tania Herber, EDO NQ** "Legal identity for the Great Barrier Reef"

**Erin Fitz-Henry, University of Melbourne**, "A triple movement? Rethinking environmental law in an era of expulsions"

#### SESSION 3.2 - INTERNATIONAL AND DOMESTIC ENVIRONMENTAL LAW

Room: Purple Room

Chair: Dr Nicole Rogers, SCU

**Professor Don Anton, Griffith University**, "International environmental law - global developments affecting Australian law"

**Professor Brendan Mackey, GCCRP** "World Declaration on the Environmental Rule of Law"

**Laura Ballantyne-Brodie, UN Harmony with Nature**, "The United Nations Harmony with Nature Program and Interactive Dialogue on Earth Jurisprudence"

**Dr Michelle Lim, Griffith University, IUCN Early Career Group**

#### SESSION 3.3- ACTIVISM AND ENVIRONMENTAL GOVERNANCE

Room: Canopy Room

Chair: Aidan Ricketts, SCU

**Mark Copland, Qld Churches Environmental Network** "Min(d)ing the gap: why churches are commissioning research into the health impacts of unconventional gas"

**Robin Taubenfeld, Friends of the Earth**, "Where have all the flowers gone? Challenging militarism through environmentalism"

**Richard Hindmarsh and Diletta Luna Calibeo, Griffith University**, "The potential of new and social media for environmental activism"

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PROGRAM—FRIDAY 21 OCTOBER 2016

3.30 AFTERNOON TEA

4.00 PARALLEL SESSION 4

## SESSION 4.1 - PRESENTATIONS CONSUMPTION AND ECOLOGICAL LIMITS

Room: Red Room

Chair: Dr Tom Baxter, UTAS

**Michael Bennett, University of Western Australia,** “Environmental limits and the law”

**Annabelle Nilsson, Solicitor,** “Making planned obsolescence obsolete: the role of law in challenging unsustainable consumption”

**Geoff Robson, Qld Dept Environment and Heritage,** “Container deposit legislation in Queensland”

## SESSION 4.2 - PRESENTATIONS JUSTICE AND ETHICS IN THE ANTHROPOCENE

Room: Purple Room

Chair: Jade Watson, AELA

**Liese Coulter, Griffith University,** “Ethical stability: integrity principles in the Anthropocene”

**Dr Christine Winter, University of Sydney,** “Conceptualising Dignity for Nature”

**Nate Perry, University of Queensland,** “Beyond Anthropocentrism: is there a place for wilderness in Earth jurisprudence?”

## SESSION 4.3- INTERACTIVE ART WORKSHOP “Embodying Symbiosis” - Aviva Reed and Briony Barr

Room: Canopy Room

This workshop offers conference delegates an opportunity to immerse in an imaginative experience, to complement presentations and conversations hosted in the other conference sessions.

Participants are invited to participate in a story telling session based on creative works focusing on microorganisms. **They are then invited to cooperate as a group through a process-based, art-making experience that embodies an interdependent, symbiotic community.** These activities are designed to expand and deepen eco-literacy beyond that which is individual, logical or purely language-based.

Please see the workshop abstract for more details.

5.00 Conference close - The Gallery

5.30 to 8pm Conference Dinner - ‘G’s Restaurant’, Griffith Nathan Campus  
(10 minute walk from the conference venue)

Join us for a relaxing dinner to unwind after the conference. Wine and a three course meal, with vegetarian options, will be offered. Dinner is \$60 and you can book your place at the dinner until Friday 14th October, or until tickets are sold out. Please book via our online booking page - <http://trybooking.com/LQJD>