



MONASH University

Law



GROUP OF EIGHT

Planning and Climate Change Conference

How can the planning process be used to reduce greenhouse gas emissions?

Tuesday 20 October 2009

Monash University Law Chambers, 472 Bourke Street, Melbourne



How climate change issues meld with regional planning and strategies of urban growth is a live issue that will be of interest to all State Government Planning Departments and Local Government Planners with cities struggling with 'sustainability policies' as well as to Planning and Environmental Lawyers.

Joint initiative of:

 **MONASH** University
Centre for Regulatory Studies

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Speaker profiles:

The Hon. Justice Brian Preston is the Chief Judge of the Land and Environment Court in New South Wales. Prior to being appointed in November 2005, he was a senior counsel practising primarily in New South Wales in environmental, planning, administrative and property law.

He holds a BA and LLB (1st class honours) from Macquarie University, practised as a solicitor from 1982–1987, and then at the bar from 1987–2005. He was appointed senior counsel in 1999. He has lectured in post-graduate, environmental law for over 17 years, principally at the University of Sydney, but also at other universities in Australia and overseas. He is currently an Adjunct Professor at the University of Sydney.

Justice Preston is the author of Australia's first book on environmental litigation (in 1989) and 50 articles, book chapters and reviews on environmental law. He has been involved in a number of international environmental consultancies and capacity-building programs, including for the judiciaries in Indonesia, Kenya, China and Trinidad and Tobago.

Justice Preston is a member of the Adhoc Advisory Committee of Judges, United Nations Environment Programme (UNEP) Judges Program; Chair of the Environmental Law Standing Committee of the Law Association for Asia and the Pacific (LAWASIA); member of the Environmental Law Commission of the International Union for the Conservation of Nature (IUCN) and member of the Australian Centre for Climate and Environmental Law (Sydney).

Darren Ray has been the Acting CEO of the Victorian Local Governance Association since September 2008.

He was a Port Phillip City Councillor from 1999 to 2008 – serving twice as Mayor in 2002–2003 and 2005–2006; Chair of its Statutory Planning Committee; and a Port Phillip Housing Association Board Member from 2001 to 2008.

Previous positions include being an adviser to MPs and Ministers; National Project Officer for the Australian Physiotherapy Association; Executive Director of the ALSO Foundation; and Manager of North West Youth and Family Services Inc.

Darren is currently undertaking a Masters Degree in Planning & Environment at RMIT, and is an Ambassador for the Windana Society.

Evan Jones is the national Director - Planning, Multiplex Living at Brookfield Multiplex. He is a town planner and urban designer with 30 years experience.

Evan has also held senior positions in Government. He prepared the recent draft South East Queensland Regional Plan, and the current Sydney Metropolitan Strategy, including plans for Western Sydney Land Release.

Evan was also an Executive Director for Planning in W.A. where he developed the *Liveable Neighbourhoods Community Design Code* and was instrumental in the urban renewal projects including Armadale and Midland.

Evan remains keenly involved in public policy as the Chair for the Centre for Built Environment and Health at the University of Western Australia; an Adjunct Professor at the Institute for Sustainability and Technology Policy, Murdoch University; and inaugural Chair of the Australian Council for New Urbanism.

Helen Gibson is the Deputy President in charge of the Planning and Environment List at the Victorian Civil and Administrative Appeals Tribunal (VCAT). Prior to her appointment to this position in 2004, she was the Chief Panel Member of Planning Panels Victoria for a period of eight years.

Helen's background and training is as a lawyer. She has a background in local government having spent seven years as a councillor of the (former) Shire of Gisborne and a member of the local water trust and sewerage authorities. Following the Ash Wednesday bushfires in 1983, she was actively involved in community reconstruction in the Macedon Ranges, Victoria, where she then lived. From 1983 Helen was a prominent panel member in Victoria's independent panel system, assessing a broad range of planning and environmental issues. She has also been a highly respected member of the State's various planning appeals tribunal since 1984.

Helen has played a major role in planning and planning reform in Victoria through her involvement with planning panels, the tribunal and her membership of various reference groups and committees. Reports and decisions authored by Helen have greatly influenced the interpretation and development of statutory and strategic planning and planning policy over the years. She continues to play a leading role in planning decision-making in her role at VCAT.

John McInerney is an Architect and Town Planner with special interests in transport and heritage. He is a past National President of the Planning Institute of Australia and former Manager of Planning for the City of Sydney and City of Melbourne.

John is committed to overhauling city planning instruments, developing his concept of "Sydney a City of Villages" and implementing an integrated transport strategy with emphasis on light rail and pedestrian/bike paths.

Leslie Stein is an Adjunct Professor of Law at Monash University. He was Chief Counsel for the Sydney Metropolitan Strategy, Counsel for the review of the South East Queensland Regional Plan and Chairman of the Western Australian Town Planning Appeal Tribunal. He has written two planning texts: "*Urban Legal Problems*" (LBC) and more recently, "*Principles of Planning Law*" (OUP).

Melanie Meyers is a partner in the real estate practice at Fried Frank Harris Shriver and Jacobson LLP where she specializes in zoning, land use, and environmental law, as well as public-private developments. In this position, she is involved in many of the largest development projects occurring in New York City, including "Atlantic Yards" a 22-acre, 8 million square foot mixed-use development in Downtown Brooklyn and the "West Side Yards", a ten-acre, 12-million square foot development to be located over an open rail yard on Manhattan's West Side.

Melanie is also currently serving as pro bono counsel to the U.S. Green Buildings Council of New York in their efforts to overhaul the City's Construction and Energy Codes. Prior to joining Fried Frank, Ms. Meyers served as general counsel to the New York City Department of City Planning, and prior to that was a professor at the Benjamin N. Cardozo School of Law and an adjunct professor at Columbia University.

Melanie is consistently recognized as a leading individual in Real Estate/Land Use by Chambers USA: America's Leading Lawyers for Business and by Legal 500, and is part of the team receiving the 2009 Chambers USA Awards for Excellence in Real Estate. Ms. Meyers received her law degree from Columbia University, where she was a member of the Law Review, and her undergraduate degree from the Massachusetts Institute of Technology.

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Program

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| Chair: | <i>Professor David Griggs</i> Director, Monash Sustainability Institute | | Climate Change Considerations in Development Approvals |
| 9:00 | Welcome <i>Professor Graeme Hodge</i> Director, Monash Centre for Regulatory Studies Faculty of Law, Monash University | 1:15 | Climate Change considerations in the Land and Environment Court of NSW <i>The Hon. Justice Brian Preston</i> Chief Judge, Land and Environment Court, NSW |
| 9:15 | The Relationship of Planning to Climate Change The Ways the Planning Process can be Used for Climate Change <i>Professor Leslie Stein</i> Faculty of Law, Monash University Former Chief Counsel, Sydney Metropolitan Strategy Counsel, South East Queensland Regional Plan Review | 2:00 | Climate Change Considerations in Victorian Civil and Administrative Tribunal (VCAT) <i>Helen Gibson</i> Deputy President, Head of Planning and Environment List, VCAT |
| 10:00 | The State Planning Process and Climate Change Lessons from the South East Queensland Regional Plan <i>Evan Jones</i> Director of Planning, Brookfield Multiplex Former Executive Director, Sydney Metropolitan Strategy and South East Queensland Regional Plan Review | 2:45 | Practical Issues for Local Government Workshops on Planning Solutions for Climate Change 5 sessions chaired by staff of the Monash Faculty of Law and the MIS How to Write Policy documents on Climate Change How to Integrate Adaptation Issues in Planning Scheme Reviews How to Carry Out DA Assessment of Coastal Development How to use Climate Change issues, such as bike paths, alternative road layouts, etc on Subdivision Applications The use of the New Urbanism and walkable neighbourhoods to promote greenhouse gas abatement |
| 10:45 | Tea Break | 4:00 | Tea and Reporting to Conference on Workshops |
| 11:00 | Local Government Strategies for Climate Change Experience with the Port Phillip "Toward Zero – Sustainable Environment Strategy 2007" <i>Darren Ray</i> Former Mayor, Port Phillip | | Overseas Experience in Local Government Climate Change Initiatives |
| 11:45 | City of Sydney Climate Change Strategies <i>John McInerney</i> Councillor, City of Sydney Former Manager for Planning, City of Sydney City of Melbourne | 4:30 | Climate Change and Planning in New York City <i>Melanie Meyers</i> Former Chief Counsel, City of New York |
| 12:30 | Lunch | 5:15 | Closing Address <i>Professor Bryan Horrigan</i> Associate Dean Research, Faculty of Law Monash University |

Registration form – use as a tax invoice (ABN 123 776 14012)

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Special dietary requirement

Amount: \$500.00 (inc. GST)

Method of payment

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Expiry date Signature

For registration via internet, please click here or print and return by fax (03) 9905 8201 or post to:
Monash Centre for Regulatory Studies, Faculty of Law, Building 12, Monash University, VIC 3800

Registrations close Tuesday 13 October 2009

For further information please contact: Meli Voursoukis (03) 9905 4135 or email meli.voursoukis@law.monash.edu.au

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