The Centre for Resources, Energy and Environmental Law (CREEL) has experienced a resurgence of activity in 2009 consistent with growing attention to issues of resources regulation and energy and environmental sustainability. In 2009 Centre staff contributed a number of submissions to government bodies on environmental policy and law reform, as the pace of legal change in these fields accelerated. In concert, the scope of research being conducted expanded. Several doctoral students studying in resources law and related fields became affiliated with the Centre. Emerging research areas within the Centre include the intersections between energy and climate change regulation, renewable technology regulation, environmental taxation and fiscal instruments, and interdisciplinary climate change governance. Long-standing research continues in environmental law and governance, adaptive water law and management, the regulation of resources and mining in federal systems, and in Indigenous interests in land and resources.

CREEL consolidated links with the legal profession, multidisciplinary researchers and cognate international law schools. CREEL has strong links with University of Melbourne researchers in the energy, resources and environmental fields with the Centre Director serving on the Board of Management for the Melbourne Sustainable Society Institute and as Associate Director for the Office for Environmental Programs within the University. Indeed, interdisciplinary research is a particular strength of Centre researchers with several interdisciplinary workshops being conducted under the auspices of CREEL in 2009. The Centre has strong linkages with international legal researchers in energy and environmental law, including the Academic Advisory Group (SEERIL) for the International Bar Association and the Environmental Law Commission for International Union for the Conservation of Nature (IUCN). Melbourne Law School joined the IUCN Academy of Environmental Law at the University of Ottawa, Canada in 2009. The Academy is a coalition of law schools around the globe that teach environmental law. The Centre Director spent several weeks on research leave at the IUCN Academy in October 2009.

CREEL became the academic organisation submitting reports to the Yearbook of International Environmental Law in early 2009. In late 2009, CREEL became associated with the National Climate Change Adaptation Research Facility for Water Governance. As 2009 was a year of expansion for the Centre, it was marked by a growing body of staff and student contributions to the work of the Centre. One contribution in particular should be noted that of Centre Administrator, Anne Kallies, who fulfilled the joint roles of administrator and researcher. Many other people contributed to the work of the Centre, including the newly appointed Advisory Board and law school staff in various capacities. The Centre acknowledges the ongoing support of the Melbourne Law School which has enabled the Centre to provide an important platform for its knowledge transfer and scholarship activities.

Lee Godden
Professor of Law
Director, Centre of Resources, Energy and Environmental Law
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About CREEL

The Centre for Resources, Energy and Environmental Law (CREEL) was established in 1986. At that time the Centre had a predominant orientation toward natural resource laws. Since that time, CREEL has undergone several changes of name and scope, with a growing emphasis on environmental law and energy regulation in recent years. Currently, Centre staff members and affiliated students research across areas as diverse as international law and environmental regulation, mining and petroleum laws, climate change law, water law, property law, environmental taxation and the use of economic instruments in regulation, Indigenous peoples’ rights and economic development issues, jurisprudence related to the environment, biodiversity protection, and fisheries. In 2009, the keen public interest in environmental and energy law issues translated into a growing profile for the Centre, particularly in knowledge transfer activities. A key function of the Centre is to provide a platform for law reform and public interest issues across resources, energy and environmental law. This focus is well demonstrated by the range of submissions to government and community organisations by Centre members.

CREEL oversees the Graduate Diploma in Environment, Energy and Resources Law in the Melbourne Law Masters. In 2009 the teaching program expanded with several new subjects, such as climate change law, being offered for the first time.

Purposes and Objectives

CREEL aims to promote research, teaching and publication into the legal, regulatory and policy frameworks that engage with:

- the production and distribution of energy, including consideration of climate change regulation,
- the sustainable development of natural resources,
- the protection of the environment and the promotion of ecologically sustainable development,
- the planning for, and provision of infrastructure in urban areas, and that associated with energy and resource development, and
- the recognition and protection of Indigenous rights and interests in land and resources.

In addition, CREEL aims to:

- engage in these activities with respect to contemporary developments and issues in Australia, Asia/Pacific, and other selected regions,
- extend the Law School’s specialised collection of research and teaching materials relating to energy, natural resources, environmental law and native title,
- strengthen existing links and establish new links with other centres in Australia and overseas engaged in equivalent activities,
- encourage persons from industry, professions, investment institutions, government and universities in Australia and overseas to participate in the Centre’s activities,
- strengthen existing links and establish new links with other centres in Australia and overseas engaged in equivalent activities, and
- encourage persons from industry, professions, investment institutions, government and universities in Australia and overseas to participate in the Centre’s activities.
CREEL People

Professor Lee Godden

Professor Lee Godden has been a staff member of the Melbourne Law School since 2002. She was appointed Director of the Centre for Resources, Energy and Environmental Law in 2008 after a joint appointment as Director, Office for Environmental Programs within the University. Lee Godden’s research interests include environmental law, natural resources law and governance, water law, property law and Indigenous peoples’ land rights. Her work extends beyond Australia with comparative research on environmental law and sustainability, resource trading regimes, and Indigenous land rights issues in countries as diverse as Canada, New Zealand, UK, South Africa, and the Pacific. She is a member of the Commission for Environmental Law, IUCN and of the Academic Advisory Group Section on Energy, Environment, Resources and Infrastructure Law, of the International Bar Association. She serves on the editorial boards of the Journal of Energy & Natural Resources Law, the Australian Resources and Energy Law Journal and the Legal Education Review.

Associate Directors

Professor Michael Crommelin AO

Michael Crommelin is Zelman Cowen Professor of Law, a position he has held since 1985. Michael is Dean of the Melbourne Law School in 2010, a position he held from 1989 to 2002, and from 2003 to 2007. He has held visiting academic appointments in Canada, the USA, the UK, France and Norway. He was a founding member of AMPLA Limited (the Australian Energy and Resources Law Association) and served as its president in 1985-6. He was chair of the Academic Advisory Group of the International Bar Association’s Section on Energy and Resources Law from 1987 to 1990. He has been a member of the American Law Institute since 1998. His current teaching and research interests include energy and resources law, constitutional law and comparative law.

Associate Professor Jacqueline Peel

Jacqueline Peel is an Associate Professor of Law at the Melbourne Law School. She has dual degrees in science and law. Her research interests focus on climate change law, environmental law and international environmental law, including law/science interactions and risk assessment in the environmental field. She is the author of numerous publications on these topics, including The Precautionary Principle in Practice: Environmental Decision-making and Scientific Uncertainty (2005).
Associate Professor Maureen Tehan

Maureen Tehan’s major focus of research and academic interest is Indigenous legal issues with particular emphasis on native title, heritage protection and land access, use and management. She has a major interest in comparative Canadian law in these areas. She teaches in these areas as well as in Property in both the Graduate and Undergraduate programmes. Her publications and graduate studies reflect these interests. Immediately prior to joining the Faculty, Maureen was a solicitor with the Pitjantjatjara and Ngaanyatjatjarra Councils and continues to undertake consultancies in the area. Maureen held the position of Associate Dean, Undergraduate in the Melbourne Law School in 2009.

Centre Members

Professor Stuart Kaye (until early 2010)

Stuart Kaye joined the Law School in 2006. He was Dean of Law at the University of Wollongong between 2002 and 2006. Prior to this appointment, he was Head of the Law School at James Cook University, and a senior lecturer in law at the University of Tasmania. Stuart Kaye has an extensive research interest in the law of the sea and international law. He has written a number of books, including Australia’s Maritime Boundaries (2001), The Torres Strait (1997) and International Fisheries Management (2001). He was appointed to the International Hydrographic Organization’s Panel of Experts on Maritime Boundary Delimitation in 1995 and in 2000 was appointed to the List of Arbitrators under the Environmental Protocol to the Antarctic Treaty. Stuart’s areas of expertise include the law of the sea and international environmental law. In 2010, Stuart took up the appointment as Winthrop Professor and Deputy Dean (Research) at the University of Western Australia.

Associate Professor Miranda Stewart

Miranda Stewart is an Associate Professor and Director of Tax at the Melbourne Law School. Prior to joining the Law School in 2000, she was working in the private sector and in government on business taxation including mining and petroleum resource rent tax. Her research interests include the politics of tax reform; tax incentives for investment; and tax and economic development. Miranda teaches graduate courses including Corporate Tax, Fiscal Reform and Development, and Tax Incentives for Industry and Investment. Miranda has an ongoing interest in resource taxation.
Associate Professor Sundhya Pahuja

Sundhya Pahuja’s scholarship is broadly concerned with the changing role of law and legal institutions in the context of development and globalisation. It engages the practice, and praxis, of international law and development through political philosophy, political-economy and postcolonial theories. Sundhya is concurrently a Visiting Research Fellow at Birkbeck, University of London. She is currently a member of the organising committee of the Legal Theory Interest group of the European Society of International Law and serves on the editorial boards of the *Australian Feminist Law Journal* and the *Law, Social Justice and Global Development Journal* (LGD) based at the University of Warwick.

Associate Professor Shaun McVeigh

Shaun McVeigh joined the Melbourne Law School in 2007. He previously researched and taught at Griffith University in Queensland as well as Keele and Middlesex Universities in the United Kingdom. He has a long time association with critical legal studies in Australia and the UK. More recently he has been involved in convening a symposium ‘Of the South’ that develops an account of lawful existence within the South. Shaun McVeigh has research interests in the fields of jurisprudence, health care, and legal ethics. His current research projects centre around three themes associated with refreshing a jurisprudence of jurisdiction: the development of accounts of a ‘lawful’ South; the importance of a civil prudence to thinking about the conduct of law (and lawyers); and, the continuing need to take account of the colonial legal inheritance of Australia and Britain.

Dr Kirsty Gover

Kirsty Gover is the Director of the Comparative Tribal Constitutionalism Research Programme, co-sponsored by CREEL, IILaH and the CCCS. The study focuses on the governance institutions and constitutions of tribal communities in Australia, New Zealand, Canada and the United States. These define the jurisdictional interface between tribes and other governments in settler societies. The study examines the ways in which tribal communities define and express their own jurisdiction, an under-interrogated aspect of Indigenous governance scholarship. It includes analysis of agreements between tribal and other governments on resource management and the joint use and stewardship of land. A book and several articles focussing on the membership regimes in tribal constitutions will be published in 2010.
Dr Margaret Young

Dr Margaret Young joined the Melbourne Law School as Senior Lecturer in 2009. She was previously the William Charnley Research Fellow in Public International Law at the University of Cambridge. She holds a PhD and an LLM from the University of Cambridge and a BA/LLB (Hons) from the University of Melbourne and has been a Visiting Scholar at Columbia Law School. Her research interests include international trade law, international environmental law and the law of the sea. Dr Young’s monograph, Trading Fish, Saving Fish: The Interaction between Regimes in International Law, will be published by Cambridge University Press in 2010. She has practiced as a solicitor, has worked at the World Trade Organisation (Appellate Body Secretariat), the United Nations International Law Commission and at Greenpeace International, and is a former associate to the Chief Justice of the Federal Court of Australia. She is currently the Assistant Editor of the British Year Book of International Law.

Mr Jürgen Kurtz

Jürgen Kurtz is a Senior Lecturer and Director of the International Investment Law Research Programme of the Melbourne Law School’s Institute for International Law and the Humanities. Jürgen researches and teaches in the various strands of international economic law including the jurisprudence of the World Trade Organization and that of investor-state arbitral tribunals. He has a particular interest in examining the impact of WTO rules on attempts to construct domestic and multilateral systems for mitigation of carbon emissions. In addition to research and teaching, Jürgen acts as a consultant to a variety of governmental and inter-governmental agencies, including the United Nations Conference on Trade and Development, the United Nations Development Program and the World Bank.

Administrator

Anne Kallies

Anne Kallies fulfilled the joint roles of Centre Administrator and researcher in 2009.

Research Assistants

Carly Godden
Mahala Gunther
Michael Power
Visiting Scholars
12/02/2009 - 22/03/2009

Dr Shaunnagh Dorsett
Reader
Faculty of Law, University of Wellington

Shaunnagh Dorsett and Lee Godden collaborated on research into natural resources law with a focus on customary law and governance in offshore areas. Shaunnagh and Shaun McVeigh collaborated to write a book considering Jurisdiction and the Forms of Law examining the conceptual and institutional formation of contemporary jurisdicitional thought. They explored some ways in which the jurisdicitional idiom of law remains central to critical practice and understanding of law.

Postgraduate Research Students

Samuel Alexander

Samuel Alexander has an LLB from the University of Otago, New Zealand, and an LLM (Hons) from the Victoria University of Wellington, New Zealand. After graduating Sam practiced employment law in Christchurch, New Zealand, before joining Melbourne Law School in 2006 as a PhD student. Sam’s thesis is titled ‘Voluntary Simplicity: Towards a Post-growth Theory of Property’ (supervisors Lee Godden and Jenny Beard). Sam has also founded the Life Poets’ Simplicity Collective (www.simplicitycollective.com) which is a grass roots environmental organization dedicated to creatively promoting and celebrating sustainable culture.

Takele Bulto

Takele Bulto holds LLB and MA degrees from Addis Ababa University, Ethiopia, and an LLM degree from University of Pretoria, South Africa. Takele worked as a judge and lecturer in Ethiopia and a visiting lecturer at the Centre for Human Rights, Faculty of Law, University of Pretoria. He also worked as Programme Coordinator for Child Rights and Child Rights Programming in Eastern and Central African Regional Office of Save the Children, Sweden. Just before taking up his PhD studies at Melbourne Law School Takele was a Legal Officer in a PanAfrican Pioneer NGO. Takele’s thesis is entitled ‘The Imperatives of Extraterritorial Application of the Human Right to Water: A Case Study of the Nile Basin’ and explores the operationalisation of the emerging human right to water in Africa (supervisors Jacqueline Peel and Carolyn Evans).

George Kailis

George Kailis’ PhD thesis is entitled, ‘A Public Right to Fish?’ and is co-supervised by Stuart Kaye and Michael Crommelin. George has worked in various organisations as a lawyer, manager and academic and holds a B.Juris, LLB (Hons) and an MBA.
Anita Foerster

Anita Foerster completed a double degree in Geography and Law (Honours) at the Australian National University. She joined the law school as a PhD candidate in 2005, researching the law, policy and practice of environmental water allocation. Anita’s thesis is entitled ‘Law, policy and practice for ecologically sustainable water allocation and management? An analysis of institutional developments to provide for environmental water needs in the Murray-Darling Basin (NSW and Victoria), 1994-2008’ and is co-supervised by Lee Godden and Jacqueline Peel.

Angus Frith

Angus Frith’s PhD thesis is entitled, ‘Sustainable Indigenous Entities for Making Agreements’ and is co-supervised by Lee Godden, Professor Marcia Langton (Centre for Health and Society, Melbourne School of Population Health) and Maureen Tehan.

Yoriko Otomo

Yoriko Otomo has worked in several government and non-government environmental organisations, and has contributed to publications relating to sustainable development, environmental law and humanitarian issues. Her doctoral thesis on ‘The changing landscapes of risk’ (supervised by Anne Orford) seeks to develop a semiology of law through a Poststructural feminist analysis of key texts within the law of occupation and international economic law. Yoriko was teaching the undergraduate Environmental Law subject at Melbourne Law School in 2009.

Virginie Tassin

Virginie Tassin is currently studying her PhD titled ‘The Extension of the Continental Shelf: sanctioning a new relationship of the state of its territory’. This project is being conducted under a Co-tutelle agreement between the University of Melbourne and La Sorbonne University, Paris. It is being co-supervised by Stuart Kaye, Andrew Mitchell and Jean-Marc Sorel (Sorbonne University).

Completions

Anita Foerster submitted her thesis, ‘Law, policy and practice for ecologically sustainable water allocation and management? An analysis of institutional developments to provide for environmental water needs in the Murray-Darling Basin (NSW and Victoria), 1994-2008’, co-supervised by Professor Lee Godden and Associate Professor Jacqueline Peel, in December, 2009, just weeks ahead of the arrival of her third daughter! The thesis was very well received by examiners.

Danny Edgar successfully completed his Doctoral thesis titled ‘Indigenous Right to Self-determination and the ‘State’ in the Northern Territory’. The thesis was co-supervised by Professor Marcia Langton and Associate Professor Maureen Tehan.
CREEL Advisory Board Members

Elisa De Wit (Partner, Norton Rose, formerly Deacons)
Elisa de Wit is an environment, planning and climate change lawyer based in Melbourne. She is the Leader of the Australian climate change practice. A regular presenter and author of articles on climate change and emissions trading, Elisa is also editor of the Norton Rose (formerly Deacons) environment and climate change newsletter, Legally Green. Elisa has practised in three Australian jurisdictions and the United Kingdom. She was recently named as a ‘leading lawyer’ in the Australasian Legal Business Guide for Environmental Law.

Professor Ray Ison (Monash and Open University, UK)
Ray Ison holds chairs at Monash University, where he is Professor of Systems for Sustainability (located in the Monash Sustainability Institute/Uniwater), and the Open University (UK) where he has been Professor of Systems since 1994. Through his research, teaching and consultancy he has made significant contributions in the areas of systems practice and social learning, systemic environmental decision making, knowledge transfer, design of learning/inquiring systems and agricultural systems.

Caroline Johnston (Executive Director, AMPLA Limited)
Caroline Johnston is the Executive Director of AMPLA: The Resources and Energy Law Association. AMPLA is a not-for-profit association that was established in 1976 by a group of young lawyers keen to know more about the law and practice relating to resources and energy. The interests of the Association have extended to include climate change, emissions trading, the environment, native title and all legal aspects of energy production and marketing. As Executive Director Caroline’s responsibilities include supporting the over 900 strong membership, coordinating the AMPLA publications (Australian Resources and Energy Law Journal and the annual Yearbook), and presenting an annual conference in Australia and a bi-annual conference in South-East Asia.

Sam Johnston (Senior Research Fellow, United Nations University)
Sam Johnston is currently Senior Research Fellow at the United Nations University Institute of Advanced Studies. Principal responsibilities of this position are to provide strategic guidance to the Director regarding the research priorities of the Institute and develop new research activities for the Institute. His research interests include: international law and policy associated with traditional knowledge, international intellectual property rights law, international environmental law and policy, international biotechnology law and policy, international law of development assistance, international law of the sea and the Antarctica Treaty System.

Professor Craig Pearson (Director, Melbourne Sustainable Society Institute, University of Melbourne)
Craig Pearson has an international record of academic and research achievement in agricultural and environmental issues and extensive senior leadership experience, including institution building and strategic change management. He has extensive experience in universities, government and industry. Craig’s current research interests are in city sustainability, urban greenbelt analysis, urban agriculture and land-use planning. His research career has spanned agricultural policy and sustainability, plant physiology, farming systems, modelling and participative technology transfer.
CREEL Events

Workshop on Systemic and Adaptive Water Governance

A workshop on Systemic and Adaptive Water Governance was held on 14 December 2009 to progress work begun by CREEL and Uniwater (Melbourne and Monash university joint initiative) on a systemic and adaptive water governance research program. This research has culminated in leadership of the governance theme of the Adaptation Research Network for Water, National Climate Change Adaptation Research Facility (NCCARF). Speakers included:

- Peter Morison: Urban water governance – current imperatives
- Paul Sinclair: An NGO assessment of the status of Australia’s water governance
- Henry Atkinson: Indigenous perspectives on water governance
- Patricia Geraghty: CMA level perspective – future needs for water governance
- Barry Hart: Constraints and possibilities for systemic and adaptive governance

A paper presented at the workshop by Lee Godden and Anita Foerster, ‘Climate Change and Water Law Prospects for Adaptive Governance’ (2009), drew on the PhD research work of Anita Foerster.

Death, Desire, Sin, Redemption: Climate Change and the Rationality of Law

Centre Director Lee Godden presented her Inaugural Professorial Lecture entitled, ‘Death, Desire, Sin, Redemption: Climate Change and the Rationality of Law’ on 4 November 2009. This Inaugural Lecture drew on Professor Godden’s wide range of interests in environmental law, resources law and climate law.

Climate Change Law: Challenges and Future Directions

On 30 October 2009, a panel of climate change experts gave presentations on international law and climate change; refugee law and climate change, and the Garnaut Review, followed by a panel discussion and question-and-answer session. This seminar formed part of the LLB course in Environmental Law and it gave students a rare opportunity to engage with experts working at the cutting edge of this important field. It was convened by CREEL postgraduate research student, Yoriko Otomo.

Launch of Samuel Alexander’s Voluntary Simplicity: The Poetic Alternative to Consumer Culture by Senator Bob Brown

CREEL was very pleased to have the leader of the Australian Greens, Senator Bob Brown, launch Samuel Alexander’s book Voluntary Simplicity: The Poetic Alternative to Consumer Culture. Samuel Alexander, one of CREEL’s postgraduate research students, has been a sessional lecturer at Melbourne Law School and is currently completing his PhD.

Public Lecture: Brown v Forestry Tasmania by Senator Bob Brown

Senator Bob Brown gave a seminar on 13 October 2009 to the LLB Environmental Law class and members of CREEL about his experiences in, ‘Brown v Forestry Tasmania’. Yoriko Otomo convened this lecture.
Workshop: The Problem with s223 of the Native Title Act 1993

Under the auspices of the ARC Linkage project *The Implementation of Agreements and Treaties with Indigenous and Local Peoples in Postcolonial States*, Centre members Lee Godden and Maureen Tehan co-convened and presented at a specialist workshop on *The Problem with s223 of the Native Title Act 1993*. The workshop brought together judges, practising lawyers and anthropologists, academics and leading Indigenous thinkers to explore the issues and propose reforms to the Act.

Festival of Ideas Participation

Lee Godden chaired a session on climate change and the future of the suburb at the University of Melbourne’s *Festival of Ideas* in July 2009.

CREEL Co-Sponsored Events

**Breeding Asian Tigers: The Shifting Regulation of Wildlife Trade in South-East Asia**

CREEL and the Office for Environmental Programs presented this lunchtime seminar on 25 August 2009 by Chris Turton of TRAFFIC, an international wildlife trade monitoring organisation established as a joint project of WWF and the IUCN. Chris talked about the recently enacted Biodiversity Law in Vietnam as a focal point for understanding the historical failure of the CITES treaty to protect the region’s unique biodiversity.

**Climate Justice and International Environmental Law: Rethinking the North-South Divide**

Launch on 1 December 2009.

CREEL supported edition 10(2), of the 2009 volume of the *Melbourne Journal of International Law*. The volume was a special symposium on climate change and international law. As a collection of think pieces, articles, commentaries and reviews, this edition explored the intersection between law and emerging ideas of climate justice, and how this affects our understandings of the ‘North-South’ divide between developed and developing countries.
CREEL Members: Research and Publications

2009 Publications

Books


Book Chapters


Journal Articles – Refereed


Jacqueline Peel. 2008. Climate Change Law: The Emergence of a New Legal Discipline. Melbourne Uni Law Review. 32 (3): 922-979 (NB. While this publication bears a 2008 date, the issue was in fact published in early 2009).


Margaret Young. 2009. Fragmentation or Interaction: the WTO, fisheries subsidies, and international law. World Trade Review. 8 (4): 477-515.
Journal Articles - Non-refereed


Forthcoming Publications


Conference Presentations


Lee Godden & Samuel Alexander presented papers at the conference Property Rights and Sustainability: The Evolution of Property Rights to Meet Ecological Challenges, The University of Auckland. 16-18 April, 2009. This conference brought together international researchers on the theme of property law's contribution to sustainability.


Other


Grants

Lee Godden, Jacqueline Peel & Rodney Keenan were able to secure a major ARC discovery grant ‘Responding to Climate Change: Australia’s Environmental Law and Regulatory Framework’ (ARC Discovery Grant 2009-2011).

Jacqueline Peel ‘Californian Climate Change Law—Lessons for Australia’, (United States Studies Centre Research Grant, 2009).


Miranda Stewart & Maureen Tehan’s project ‘Harnessing legal resources for indigenous empowerment’ received a University of Melbourne Knowledge Transfer grant from to work with Native Title Services Victoria to develop a partnership for a) student internships and b) professional development for staff and Board members.

Lee Godden & Mahala Gunther, (in association with other University researchers) were awarded University of Melbourne Social Justice Initiative (SJI) funding for the project, ‘Climate Change and International Intervention – Examining the Implications of Donor Based Organisations and Ecological Service Provisions’ (2009-2010).

CREEL Submissions

CREEL has a special interest in impacting on policy development in the area of resources, energy and environmental law. CREEL members engaged strongly with legal development and law reform with submissions in the following areas:


Research Collaborations

Professor Michael Crommelin AO is engaged in an international research project on ‘Oil and Gas Management and Revenues in Federations’, sponsored by the Forum of Federations. Twelve countries are involved: Argentina, Australia, Brazil, Canada, India, Malaysia, Mexico, Nigeria, Pakistan, Russia, U.S.A. and Venezuela. The project will conclude in 2010.

In 2009, Associate Professor Maureen Tehan participated in the international expert advisory reference group: Expert Advisory Panel: Indigenous Land Title Systems. This panel was a reference group for ground breaking changes to First Nations’ land titles designed to promote economic development. The proposal and changes were made under the auspices of the Forum of Federations and the First Nations’ Tax Commission. In 2009 there were two Working Group Meetings on Indigenous Land Title Systems in Calgary and Montreal to consider and critique a range of papers and proposals covering Legislative Design, Institutional Framework and Intergovernmental mechanisms for Creating First Nations Land Title Certainty.

Maureen has also been involved in the research project: Expert Academic Reviewer: Comparative Literature Review of Aboriginal Heritage Act (2006) (Vic).

Climate Law Blog

To keep track of Australian and overseas developments in climate change law, Associate Professor Jacqueline Peel has established a climate change law blog. The blog is used to disseminate research undertaken by CREEL researchers on climate change law. To access the blog please follow the link: http://blogs.unimelb.edu.au/peel_climatechange/
Teaching Program 2009

CREEL members teach in the degree programs of the Melbourne Law School and supervise research students. Subjects taught in 2009 included:

The Melbourne JD

Dr Kirsty Gover
Property Law

Dr Margaret Young
Principles of Public Law

The Melbourne LLB

Associate Professor Maureen Tehan
Associate Dean (Undergraduate)

Yoriko Otomo
Environmental Law

The Melbourne Law Masters

Professor Michael Crommelin AO
Mineral Law, Petroleum Law

Professor Lee Godden
Climate Change Law, Environmental Law: Science and Regulation, Water Law

Associate Professor Jacqueline Peel
Environmental Law: Science and Regulation

New Generation Breadth Subject

Associate Professor Maureen Tehan
Aboriginal Land, Law and Philosophy
Knowledge Transfer Activities

Maureen Tehan was an Expert Consultant Reviewer for a Comparative Literature Review of Aboriginal Heritage Act 2006 (Vic).


Miranda Stewart, Consultant with Professor Gavin Wood of RMIT—AHURI (Australian Housing and Urban Research Institute) (economist) and Dr Rachel Ong (Curtin University) (economist), ‘Housing Taxation and Transfers’. Report commissioned by the Henry Review (Australian Treasury) on the tax law and economic policy of housing in Australia’s tax-transfer system (final report delivered October 2009 has not yet been released).

Miranda Stewart, Consultant (with KPMG) to Northern Territory Government Department of Business Economic and Regional Development, ‘Review of Tax Incentives and Other Mechanisms for Stimulating Investment and Economic Activity’ on Aboriginal Land (report delivered June 2008 has not yet been released).

Linkages

University Linkages

CREEL established strong links with University researchers in the energy, resources and environmental fields in 2009, with membership of the Melbourne Sustainable Society Institute and partnership with the Energy Institute. Interdisciplinary research is a particular strength of Centre researchers with 2009 providing opportunities to build substantial collaborative partnerships with university and associated researchers in other disciplines.

Melbourne Sustainable Society Institute (MSSI)

CREEL is a member of the Melbourne Sustainable Society Institute (MSSI) which fosters sustainability research on large public issues, by integrating research expertise from a range of disciplinary perspectives, taking a particular focus on Australia and the Asia-Pacific region. It is a hub for sustainability at the University. The Institute’s research is themed as follows: Sustainable Cities, Regional Communities, People and Values, Climate Change, Changing Population, Health Equity, Water Food and Energy Governance and Infrastructure and Transport. www.sustainable.unimelb.edu.au
Energy Institute

CREEL is a knowledge partner of the newly established Melbourne Energy Institute, with CREEL Associate Director Professor Michael Crommelin being a researcher in Energy Law and Regulation. By bringing together cross-disciplinary research and engaging with relevant organisations outside the University of Melbourne, the Melbourne Energy Institute offers the critical capacity to rethink the way we generate, deliver and use energy.

www.energy.unimelb.edu.au

Office for Environmental Programs (OEP)

The Office for Environmental Programs (OEP) coordinates the Graduate Environmental Program that crosses ten faculties at the University and allows access to a wide range of environmentally relevant subjects taught by academics with a strong profile in environmental sustainability and other aspects of problem-solving in Australia and beyond. CREEL has close links with OEP as Professor Godden is the former director and now is its Deputy Director. CREEL members teach courses in the program.

Linkages

International Linkages

The Centre has developed international linkages with several groups of researchers including the Academic Advisory Group (SEERIL) for the International Bar Association and the Environmental Law Commission for IUCN. The Centre Director attended an Advisory Group workshop in April 2009 in Nigeria to strengthen existing links and establish new networks.

CREEL became a member of the International Union for the Conservation of Nature (IUCN) Academy of Environmental Law, University of Ottawa, a leading international coalition of Law Schools researching and teaching environmental law.
Contact Details

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