Environmental Justice has been an issue for environmental and social movements for the past three decades. Starting in the US, and originally focused on the inequity in the distribution of environmental risks to poor communities and communities of colour, the use of the concept has spread across the globe, and been applied to an ever-widening range of issues. Communities have also used environmental justice to discuss not only inequity, but also the lack of recognition for their issues and cultures, the exclusion from political decision-making, and the endangerment of the very functioning of their communities.

In Australia, environmental justice is increasingly being applied to battles around the mining of coal and gas. In this Sydney Ideas panel, academics and community leaders will discuss the social and environmental justice implications of this mining, and the importance of justice as an organizing theme.

**Sydney Network on Climate Change and Society in partnership with the Australian Centre for Climate and Environmental Law**

**Day 1: Sydney Ideas Panel Discussion**

Thursday May 2nd
6.00 – 7.30pm
Law School Foyer, University of Sydney

**Chair:** Rosemary Lyster, *The University of Sydney*

**Panel:**
- **David Schlosberg,** *The University of Sydney* “Defining Environmental Justice in the Australian Context”
- **Jeff Smith,** *Environmental Defenders Office (EDO) NSW* “Democracy, the rule of law and EDO NSW”
- **Drew Hutton,** *Lock the Gate Alliance* “Using democratic, extra-legal strategies for achieving social and environmental justice.”
- **Linda Connor,** *The University of Sydney* “Living with a fossil fuel resource curse: the real environmental and social costs”

**RSVP**
Free event with registration requested, [Click here](#) to register online now.
Sydney Social Justice Network in partnership with Sydney Network on Climate Change and Society and the Australian Centre for Climate and Environmental Law

Day 2: Environmental Justice in Australia Symposium

**FRIDAY MAY 3RD**
8.30AM-5.00PM
VENUE: LAW SCHOOL FOYER
UNIVERSITY OF SYDNEY CAMPERDOWN CAMPUS

8.30 - 9.00 REGISTRATION, TEA AND COFFEE
9.00 – 9.10 WELCOME & OPENING REMARKS: David Schlosberg, University of Sydney

9.10 - 10.55 SESSION 1: COAL

*Chair: Linda Connor, The University of Sydney*

**Scott Franks, Tocomwall,**

**Peter Martin, Southern Highlands Coal Action Group**

**Dr. James Whelan, The Change Agency**

“Coal dust in our suburbs”

**Dr. Wayne Smith NSW Department of Health**

“Coal, Coal Seam Gas and Windmills: A Risk Analysis”

10.55 – 11.15 MORNING TEA

11.15-12.45 SESSION 2: COAL SEAM GAS

*Chair: Phil McManus, The University of Sydney*

**Rosemary Lyster, The University of Sydney**

“Regulating CSG in Australia: a slow burn”

**Jessica Harwood, NSW Farmers Association**

"Land-use conflict, the law and landholder experiences"

**Kim de Rijke, University of Queensland**

“Coal seam gas and social impact assessment: an anthropological view”

12.45 - 2.00 LUNCH

2.00-3.45 SESSION 3: NGOs AND COMMUNITY SUPPORT

*Chair: Rosemary Lyster, The University of Sydney*

**Michelle Maloney, Queensland Environmental Defenders Office**

“News from the trenches: environmental justice in Queensland”

**Elizabeth McKinnon, Victoria Environmental Defenders Office**

**Cam Walker, Friends of the Earth,**

“Community campaigning against coal and coal gas in Victoria”
Rebecca Pearse, University of New South Wales
“Political agency and Australia’s climate movement 2007-2010”

3.45 – 4.00  AFTERNOON TEA

4.00 – 5.00  NEXT STEPS – OPEN DISCUSSION WITH NETWORKING DRINKS
Chair: David Schlosberg, The University of Sydney

In this session, the organisers of the conference will give all participants an opportunity to reflect on the concerns raised during the Symposium and to consider what next steps might be taken to further the environmental justice agenda.

5.00  CLOSE

RSVP: Event with registration essential to Michelle St. Anne michelle.stanne@sydney.edu.au
Dr James Whelan

“Coal dust in our suburbs”

ABSTRACT: Newcastle exports up to 200 million tonnes of coal each year, making it the world’s latest coal port. A fourth terminal is proposed that would increase the port's capacity to 330Mtpa. Community groups have united in opposition to the proposal, raising funds to monitor particle pollution along the coal corridor.

Dr James Whelan is chair of the Dust and Health Committee established by the Coal Terminal Action Group. CTAG is an alliance of 18 community groups throughout the Hunter. James is director of the Change Agency, a non profit that provides education, mentoring and facilitation support for social movement groups.

Rosemary Lyster, The University of Sydney

“Regulating CSG in Australia: a slow burn”

In 2012, the International Energy Agency stated that natural gas is poised to enter a ‘golden age’. However, it warned that gas producers might well lose their social licence to operate if social and environmental concerns were not overcome. Under a ‘golden age’ scenario, global gas demand is expected to rise by more than 50% between 2010 and 2035 and will equal the growth coming from coal, oil and nuclear combined and ahead of renewables. Production of unconventional gas, especially shale gas, more that triples to 1.6 trillion cubic metres in 2035 where the IEA’s ‘Golden Rules’ are adopted. In the Low Unconventional case, the IEA assumes that primarily because of the loss of social licence to operate, production rises only slightly above current levels by 2035. The competitive position of gas will then decline below that of coal.

According to the IEA, the key issues that must be managed are:

- Impacts on local communities, land and water resources
- Serious hazards such as air pollution and the contamination of surface and groundwater
- Greenhouse gases at the point of production and throughout the supply chain needs to be minimised.

This paper assesses the slow and piecemeal regulatory efforts of various levels of government to cast a regulatory net around the exploration for, and production of, CSG in Australia – and these are far from over. Are these adequate for addressing the communities’ social and environmental justice concerns? Will they allow CSG developers to maintain their social licence to operate in Australia, or will their failure to satisfy the community mean that CSG in Australia falls into the IEA’s Low Unconventional case category?

Rosemary Lyster is Professor of Climate and Environmental Law at Sydney Law School, The University of Sydney. She is also Director of the Australian Centre for Climate and Environmental Law. Rosemary has an extensive list of Climate and Environmental Law publications including three books with Cambridge University Press and she is the lead
Jessica Harwood, Mining and Coal Seam Gas Officer, NSW Farmers Association

"Land-use conflict, the law and landholder experiences"

ABSTRACT: In response to the land-use conflict between CSG, mining and agriculture, NSW Farmers have hired two officers to work on the Mining and CSG Communications Project. This presentation will provide an overview of the project, the current land-use conflict and attempts to account for impacts on agricultural land and water by bringing them into the assessment process for major mining and CSG projects. Jess will also share some real landholder experiences the Project team has encountered and what the biggest gaps in knowledge are with regard to land access laws.

Jess Harwood is a recent graduate of Sydney Law School where she studied a combined law degree. During her degree, Jess completed a comparative law research in the regulation of coal seam gas in Queensland and New South Wales with a focus on landholder issues and protections for agricultural land and water. She has interned at the Environmental Defenders Office and worked on land access agreements at Sydney Law firm Marylou Potts Pty Ltd. In her current role at NSW Farmers, Jess will be travelling NSW as part of the Mining and Coal Seam Gas Communications Project with a focus on land access laws and the Strategic Regional Land Use policy framework.

Kim de Rijke, University of Queensland

"Coal seam gas and social impact assessment: an anthropological view"

ABSTRACT: Coal seam gas extraction is expanding rapidly in the renowned agricultural region of the Darling Downs in Queensland, Australia. These developments have given rise to substantial contestation, including the emergence of a national and vocal anti-coal seam gas movement. This paper examines the Darling Downs region and social impact research with regard to coal seam gas developments. On the basis of the anthropological literature and ongoing fieldwork in the region, the paper addresses social disputes surrounding coal seam gas by attending to understandings of social life and community. Two specific documents are commented on: the Queensland guideline for social impact assessments, and the social impact assessment for Arrow Energy's Surat Gas Project. The paper argues that notions of community, diversity and social significance should be more carefully considered in social impact assessment.

Dr Kim de Rijke is a postdoctoral research fellow in anthropology at the University of Queensland. His current research project focuses on coal seam gas disputes in southern Queensland and northern New South Wales.

Michelle Maloney, Queensland Environmental Defenders Office

"News from the trenches: environmental justice in Queensland"

ABSTRACT: In 2012, UNESCO warned that the Great Barrier Reef was under threat from industrial developments in Queensland, but coal mining, coal port development and coal seam gas expansion continues to dominate Queensland's political, social and environmental landscape. 2012 also saw the State Government cut off all funding to the Queensland Environmental Defender's Office, after 20 years of funding support. So how healthy is environmental justice in Queensland? This talk will share some of the good news: that the Queensland EDO is continuing to provide legal advice and legal education to the Queensland public; and civil society groups are growing in their numbers and resolve to stand for environmental justice in Queensland.

Michelle Maloney is an environmental lawyer and activist based in Brisbane. She is the current Chairperson of the Environmental Defender’s Office Queensland, National Convenor of the Australian Wild Law Alliance (www.wildlaw.org.au) and the Australian representative
on the Executive Committee of the Global Alliance for the Rights of Nature. Michelle is currently completing her PhD at Griffith University Law School and her research interests include Earth Jurisprudence, sustainable consumption and ecological limits.

Elizabeth McKinnon, Victoria Environmental Defenders Office

“Community lawyering to achieve environmental justice – case studies from the EDOs”

ABSTRACT: EDOs across Australia provide legal education, advice and representation to community groups and NGOs attempting to access environmental justice using the law. What are some recent successes and failures of groups pushing for equity, recognition for their culture and issues, and inclusion in legal and political decision-making?

Elizabeth is a lawyer at the Environment Defenders Office (Victoria), where she specialises in public interest environmental law reform. Elizabeth is also the Chairperson of Environment Victoria, Victoria’s peak environment body, and sits on the editorial panel of the Australian Environment Review. Elizabeth has a special interest in environmental justice and in 2012 completed a research project on the topic, exploring its application and relevance to environmental law making in Australia.

Cam Walker, Friends of the Earth

“Community campaigning against coal and gas in Victoria”

ABSTRACT: Victoria has seen no substantial expansion of its coal industry in decades, and the emerging unconventional gas sector has not yet commercialised production in the state. A moratorium on the process of Fracking has halted test operations for Tight Gas. However, the recent investment by mining magnate Gina Rinehart in the local CSG industry, an announcement by the new Premier about the 'need' to exploit new coal resources, and increased negotiations with land owners and buy up of land by oil and gas companies suggests that we will shortly move into a new phase in the campaign.

Campaigners in Victoria have the benefit of learning from our allies in NSW and QLD. A strong campaign has been growing, which uses aspects of the Lock the Gate and CSG Free community models, combined with a local and state government focus. This presentation will briefly canvas the approaches and strategies which have driven the Victorian campaign against new coal and gas.

Cam has worked with Friends of the Earth (FoE) since 1989 as the campaigns co-ordinator and worked on many environmental and social justice campaigns during this time, from the local to national level.

He helps represent the organisation at the national level, working with government, industry, unions, Indigenous and community organisations. He spent six years on the Executive Committee of Friends of the Earth International. During this time, Cam attended many meetings of international conventions and treaties (mostly on the issues of climate change, ozone depletion, the Commission for Sustainable Development and Biodiversity) and travelled and worked extensively with NGOs and local communities in Latin America, Europe and, most recently Africa.

Rebecca Pearse, University of New South Wales, with James Goodman, University of Technology & Stuart Rosewarne, The University of Sydney.

“Political agency and Australia’s climate movement 2007-2010”

ABSTRACT: The advent of climate crisis, and the existential threat it now poses, directly raises the question of political agency. People are only beginning to imagine the implications for political community, and for the very language of politics, as we start to directly experience humanity’s collective force in the new climate era. As the sociologist Mike Hulme puts it, ‘we have only tentative
understanding of the implications of such a new role and only limited means at our disposal to exercise purposeful, as opposed to inadvertent, agency’ (Hulme 2010: 1). This presentation and our forthcoming book are based on an ethnographic study of Australia’s climate action movement is centred on the question of gaining ‘purposeful agency’ in an era of human-induced climate change. Drawing on activists’ account of their participation in the Australian climate movement 2007-2010, we reflect on three key arenas of political experimentation and contestation that opened up during the peak of climate movement activity: 1) the use of civil disobedience at the site of fossil fuel extraction as a means to build popular support for emissions reduction, 2) strategic dilemmas and divisions over federal climate policy, and 3) the production of alternative visions. We propose debate and reflection that occurred in these arenas during the peak of social movement activity retain ongoing salience for the movement and its current reinvigoration.

Stuart Rosewarne (USyd), James Goodman (UTS) and Rebecca Pearse (UNSW) have just completed Climate Action Upsurge. The book will be available later this year through Routledge.

Rebecca Pearse is a PhD candidate at the University of New South Wales. Since 2008 she has worked with James Goodman (UTS) and Stuart Rosewarne (Sydney) on a project investigating the social movement response to climate change and fossil fuel expansion in Australia. Her thesis research focuses on the politics of marketisation in climate and energy policy. Rebecca has taught courses in environmental studies and political economy at UTS and Sydney.