

LAWS70100 Environmental Law

Credit Points:	12.5
Level:	7 (Graduate/Postgraduate)
Dates & Locations:	2016, Parkville This subject commences in the following study period/s: August, Parkville - Taught on campus. This subject has a quota of 30 students. Please refer to the Melbourne Law Masters website for further information about the management of subject quotas and waitlists.
Time Commitment:	Contact Hours: 24-26 hours Total Time Commitment: 136-150 hours The pre-teaching period commences four weeks before the subject commencement date. From this time, students are expected to access and review the Reading Guide that will be available from the LMS subject page and the subject materials provided by the subject coordinator, which will be available from Melbourne Law School. Refer to the Reading Guide for confirmation of which resources need to be read and what other preparation is required before the teaching period commences.
Prerequisites:	Melbourne Law Masters Students: None JD Students: None
Corequisites:	None
Recommended Background Knowledge:	Applicants without legal qualifications should note that subjects are offered in the discipline of law at an advanced graduate level. While every effort will be made to meet the needs of students trained in other fields, concessions will not be made in the general level of instruction or assessment. Most subjects assume the knowledge usually acquired in a degree in law (LLB, JD or equivalent). Applicants should note that admission to some subjects in the Melbourne Law Masters will be dependent upon the individual applicant's educational background and professional experience.
Non Allowed Subjects:	None
Core Participation Requirements:	The Melbourne Law Masters welcomes applications from students with disabilities. The inherent academic requirements for study in the Melbourne Law Masters are: The ability to attend a minimum of 75% of classes and actively engage in the analysis and critique of complex materials and debate; The ability to read, analyse and comprehend complex written legal materials and complex interdisciplinary materials; The ability to clearly and independently communicate in writing a knowledge and application of legal principles and interdisciplinary materials and to critically evaluate these; The ability to clearly and independently communicate orally a knowledge and application of legal principles and interdisciplinary materials and critically evaluate these; The ability to work independently and as a part of a group; The ability to present orally and in writing legal analysis to a professional standard. Students who feel their disability will inhibit them from meeting these inherent academic requirements are encouraged to contact Student Equity and Disability Support.
Coordinator:	Prof Jacqueline Peel, Prof Lee Godden
Contact:	Lecturers Professor Lee Godden (http://www.law.unimelb.edu.au/staff/Lee%20Godden) (Coordinator) Professor Jacqueline Peel (http://www.law.unimelb.edu.au/staff/Jacqueline%20Peel) Email: law-masters@unimelb.edu.au (mailto:law-masters@unimelb.edu.au) Phone: +61 3 8344 6190 Website: www.law.unimelb.edu.au/masters (http://www.law.unimelb.edu.au/masters)
Subject Overview:	Environmental law deals with some of the most vital but also highly controversial issues within Australia and the global society. Environmental issues are a prominent feature of public debate, scientific research and regulatory action and this subject canvasses how law has evolved in response to such challenges, as well as identifying where reform may be required. The subject equips students with a strong grounding in the foundational principles of environmental law

	<p>in Australia by reference to the Commonwealth <i>Environment Protection and Biodiversity Act</i> 1999, as well as relevant pollution control and biodiversity legislation. In addition, it provides an introduction to international environmental law dealing with questions such as trans-boundary harm and World Heritage protection, as well as considering how international influences have shaped the direction of Australian environmental law.</p> <p>This subject will provide an examination of the development and current scope of Australian environmental law, with a focus on the <i>Environment Protection and Biodiversity Conservation Act</i> 1999 (Cth) and related state environmental protection legislation.</p> <p>Principal topics include:</p> <ul style="list-style-type: none"> # The growing importance of international law, with the recognition that environmental protection issues cross regulatory boundaries # Greater integration between relevant discipline areas concerned with environmental protection # Greater diversity in environmental law approaches, including integration with other regulatory areas such as planning, natural resource management, water use and indigenous land management, and financial measures and economic instruments. <p>These themes will be illustrated by case studies in the following areas:</p> <ul style="list-style-type: none"> # Environmental law: The drivers of change # Environmental actors, including public interest litigation # The range of legal and regulatory tools deployed in environmental law, including consideration of market mechanisms # The interaction of law and science, with a focus on the precautionary principle # Integration and complexity challenges in implementing environmental law with a focus on biodiversity protection # International law trends, including trade and environment and climate change governance.
Learning Outcomes:	<p>A student who has successfully completed this subject will:</p> <ul style="list-style-type: none"> # Have an advanced and integrated understanding of the evolution of environmental law and the factors driving change at an international and national level # Have a sophisticated appreciation of the pervasive nature of environmental regulation # Have a detailed understanding of the influence of other disciplines, such as science, on the scope and character of environmental law # Be able to critically examine, interpret, analyse, and assess the nature of current environmental law approaches such as the 'regulatory mix' # Be an engaged participant in debate over key case studies that illustrate the dynamic trends in environmental law, such as cumulative impact assessment # Have an advanced understanding of the need for integration across many areas of law to achieve environmental goals, such as ecologically sustainable development. # Have the cognitive and technical skills to independently examine, research and analyse existing and emerging legal issues relating to environmental law and its development # Have the communication skills to articulate and convey clearly complex information regarding issues in environmental law # Be able demonstrate autonomy, expert judgment and responsibility as a practitioner and learner in the field of environmental law and its intersections with science, policy and regulation.
Assessment:	<p>In-class presentation and 1,500–2,000 word written presentation (25%) (7 September) 7,500 word research paper (75%) (16 November) on a topic approved by the subject coordinator A minimum of 75% attendance is a hurdle requirement.</p>
Prescribed Texts:	<p>Specialist printed materials will be made available free of charge from the Melbourne Law School prior to the pre-teaching period.</p>
Breadth Options:	<p>This subject is not available as a breadth subject.</p>
Fees Information:	<p>Subject EFTSL, Level, Discipline & Census Date, http://enrolment.unimelb.edu.au/fees</p>
Links to further information:	<p>www.law.unimelb.edu.au/subject/LAWS70100/2016</p>
Related Course(s):	<p>Graduate Diploma in Construction Law</p>

	Graduate Diploma in Energy and Resources Law
	Graduate Diploma in Environmental Law
	Graduate Diploma in Government Law
	Graduate Diploma in Legal Studies
	Juris Doctor
	Master of Commercial Law
	Master of Construction Law
	Master of Energy and Resources Law
	Master of Environmental Law
	Master of Law and Development
	Master of Laws
	Master of Public Administration
	Master of Public Administration (Enhanced)
	Master of Public and International Law