

730-816 Water Law

Level:	Graduate/Postgraduate
Dates & Locations:	2009, This subject commences in the following study period/s: April, - Taught on campus.
Time Commitment:	Contact Hours: 24 - 26 contact hours per subject. Total Time Commitment: The time commitment for this subject depends on the candidates background and experience.
Prerequisites:	N.A.
Corequisites:	N.A.
Recommended Background Knowledge:	None
Non Allowed Subjects:	None
Core Participation Requirements:	N.A.
Coordinator:	Prof Lee Carol Godden
Subject Overview:	<p>Objectives:</p> <p>A student who has successfully completed this subject should:</p> <ul style="list-style-type: none"> # Appreciate the importance of water law issues at an international, national and regional level in terms of increasing water scarcity # Appreciate the context for water law development in Australia, including the impacts of climate change # Understand emerging issues in water law and policy at a federal level # Understand the development of common law and the statutory systems for water allocation # Be able to critically evaluate the main aspects of the COAG reform process and the National Water Initiative, including water trading aspects # Understand the Murray Darling Basin Agreement process, the <i>Water Act 2007</i> (Cth) and surrounding issues # Understand a representative water law regime e.g. the <i>Water Act 1989</i> (Vic) and subsequent legislation. <p>Syllabus:</p> <p>This subject will cover an analysis of water law in Australia with a brief overview of international law and policy. It will consider the national reform agenda for water law under the impetus of national competition policies, together with federal/state issues, including an examination of the <i>Water Act 2007</i> (Cth). The general development of Australian statutory-based water law, concentrating on the Victorian situation in rural and urban areas, will provide the main area of focus, with reference to comparative Australian and overseas case studies.</p> <p>Principal topics will include:</p> <ul style="list-style-type: none"> # International law and policy governing water, including human rights issues # The common law of surface waters and groundwater # The evolution of Australian statutory regimes for water allocation and use # The COAG National Water Reforms: Separating water entitlement from land entitlement, and the implementation of the National Water Initiative # The <i>Water Act 1989</i> (Vic) and an overview of selected Australian legislative frameworks # History of the River Murray and its management regimes, together with the <i>Water Act 2007</i> (Cth) # Water trading: Legal issues and regulatory regimes, including cap and trade measures # Urban water issues, including industry regulation # Water quality: Rural and urban issues, such as salinity and pollution # Integrated catchment management and environmental water, including an outline of relevant water legislation

	# Comparison of water law reform in comparable overseas jurisdictions.
Assessment:	In-class presentation and a written essay 1,000–1,500 words (25%) (23 April) Research paper 7,500 words (75%) (13 July) (topic approved by the subject coordinator)
Prescribed Texts:	Core subject materials will be provided free of charge to all students. Some subjects require further texts to be purchased. Please visit the subject homepage on the Melbourne Law Masters website by following the link at the bottom of this subject entry.
Breadth Options:	This subject is not available as a breadth subject.
Fees Information:	Subject EFTSL, Level, Discipline & Census Date, http://enrolment.unimelb.edu.au/fees
Generic Skills:	Please see the Subject Objectives for this information.
Links to further information:	For the latest information on this subject, please visit: http://www.masters.law.unimelb.edu.au/subject/730816