

LAWS70068 Environmental Law

Credit Points:	12.5
Level:	7 (Graduate/Postgraduate)
Dates & Locations:	2015, Parkville This subject commences in the following study period/s: September, Parkville - Taught on campus.
Time Commitment:	Contact Hours: The total class time is between 24 and 26 hours. Total Time Commitment: 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:	This subject is only offered to students from the Office for Environmental Programs.
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 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 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 the Disability Liaison Unit: www.services.unimelb.edu.au/disability/
Coordinator:	Prof Lee Godden
Contact:	For more information: 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:	The subject is designed as an overview of environmental law for students without a legal background. A student who has successfully completed this subject should: <ul style="list-style-type: none"> # Gain an understanding of the evolution of environmental law and the factors driving change at international and domestic levels # Appreciate the pervasive nature of environmental law across jurisdictions # Understand the influence of other disciplines, such as science, on the scope, direction and character of environmental law # Be able to analyse the nature of current environmental law approaches such as the 'regulatory mix'

	<ul style="list-style-type: none"> # Be familiar with key case studies that illustrate the dynamic trends in environmental law # Understand the need for integration across many areas of law to achieve environmental goals, such as ecologically sustainable development.
Learning Outcomes:	<p>This subject will provide an examination of the development and current scope of Australian environmental law, with a focus on the <i>Environmental Protection and Biodiversity Conservation Act 1999</i> (Cth) and related state environmental assessment laws (eg the <i>Environmental Effects Act 1978</i> (Vic)) and pollution control legislation (eg the <i>Environment Protection Act 1970</i> (Vic)). There will be also an introduction to international environmental law.</p> <p>Principal topics will include:</p> <ul style="list-style-type: none"> # Greater diversity in environmental law approaches, including integration with other regulatory areas which could include planning, natural resource management, water use and indigenous land management, and the use of financial measures and economic instruments in regulation. # The growing importance of international law, with the recognition that environmental protection issues cross territorial and regulatory boundaries # Greater integration between relevant disciplines concerned with environmental protection <p>These themes will be illustrated by case studies, which could be situated within the following areas:</p> <ul style="list-style-type: none"> # Ecologically sustainable development and changing conceptions of the 'environment' # Environmental actors, including public interest litigation # The range of legal and regulatory tools used in environmental law, including market mechanisms such as emissions trading schemes. # 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 trans-boundary harms.
Assessment:	Take-home examination (50%) and Research essay of 4,000 words (50%)
Prescribed Texts:	Specialist printed material will be made available from Melbourne Law School. Andrew Stewart, <i>Stewart's Guide to Employment Law</i> (Federation Press, 5th edn, 2015)
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
Links to further information:	www.law.unimelb.edu.au/subject/LAWS70068/2014
Notes:	This subject has a quota of 30 students. Please refer to the website www.law.unimelb.edu.au/masters/courses-and-subjects/subjects/subject-timing-and-format (http://www.law.unimelb.edu.au/masters/courses-and-subjects/subjects/subject-timing-and-format) for further information about the management of subject quotas and waitlists.
Related Majors/Minors/Specialisations:	Climate Change Climate Change Conservation and Restoration Conservation and Restoration Development Development Education Education Energy Efficiency Modelling and Implementation Energy Efficiency Modelling and Implementation Energy Studies Energy Studies Governance, Policy and Communication Governance, Policy and Communication Integrated Water Catchment Management Integrated Water Catchment Management

Public Health
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Tailored Specialisation
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Waste Management
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