

Units:	6
Hours:	Intensive 26 teaching hours
Specialisation:	Environmental Law
Prerequisites:	LLB or Fundamentals of Environmental Law
Staff:	James Prest

Objectives: This course will examine climate law in Australia including not only the current state of the law but also its likely future direction.

Topics include:

- The federal framework for climate law. Relevant provisions in Commonwealth environmental impact assessment law.
- State laws applying to emissions reduction and avoidance in the energy, transport, building sectors and provisions in planning and environmental impact assessment laws.
- The rise of climate litigation.
- Energy and energy efficiency laws relating to coal, gas, nuclear, and renewable sources.
- Possible responses to the problem including market mechanisms, information based regulation, voluntary approaches, legislative approaches to emissions reduction. The course will pay particular attention to proposed carbon trading regimes. The inter-relationship between a cap-and-trade scheme and existing and potential regulatory regimes such as mandatory renewable energy legislation will be considered.
- Climate liability and climate adaptation including the impact of climate change on planning regimes and the approval practices of coastal local governments.
- Many of the topics above will be presented drawing on international comparisons with the domestic law of other jurisdictions including the United States and the EU.

Prescribed Text: Tim Bonyhady & Peter Christoff (eds), *Climate Law in Australia*, forthcoming either late 2007 or early 2008.

Proposed Assessment: One 6,000 – 8,000 word essay.