



LAWS8061

Environmental Planning Law

Session 1, Special circumstances 2021

Macquarie Law School

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Macquarie University has taken all reasonable measures to ensure the information in this publication is accurate and up-to-date. However, the information may change or become out-dated as a result of change in University policies, procedures or rules. The University reserves the right to make changes to any information in this publication without notice. Users of this publication are advised to check the website version of this publication [or the relevant faculty or department] before acting on any information in this publication.

Notice

As part of [Phase 3 of our return to campus plan](#), most units will now run tutorials, seminars and other small group activities on campus, and most will keep an online version available to those students unable to return or those who choose to continue their studies online.

To check the availability of face-to-face activities for your unit, please go to [timetable viewer](#). To check detailed information on unit assessments visit your unit's iLearn space or consult your unit convenor.

General Information

Unit convenor and teaching staff

Convenor

Paul Govind

paul.govind@mq.edu.au

Contact via All contact with students is through iLearn

Room, 617, 6 First Walk (Law Building)

Wednesday 2 - 3pm or by appointment

Credit points

10

Prerequisites

(Admission to JD and 80cp in LAW or LAWS units at 6000 level or above) or (admission to LLM or GradCertEnvPlan or MPlan)

Corequisites

Co-badged status

Unit description

Almost every use of land from building a family home to infrastructure projects across cities through to coal mining will require some form of legal assessment and approval. The relevant area of law is environmental planning law. This unit examines the intersection of economic, social and environmental issues in the context of land use and law. The focus is on both the natural and built environment in an urban and rural context with particular emphasis on the regulation of land use under the Environmental Planning and Assessment Law 1979 (NSW) and the Environment Protection and Biodiversity Conservation Act 1999 (Cth). The unit provides a detailed analysis of the legal requirements of land use planning instruments, development assessment methods, environmental impact assessment and administrative decision making relating to land use. A critical analysis is undertaken of the effectiveness of the current regulatory regime including reform proposals and options. Discussion and analysis of relevant case law and the functions of the Land and Environment Court in terms of resolving land planning and development issues is covered extensively.

Important Academic Dates

Information about important academic dates including deadlines for withdrawing from units are available at <https://www.mq.edu.au/study/calendar-of-dates>

Learning Outcomes

On successful completion of this unit, you will be able to:

ULO1: Acquire and demonstrate specialized knowledge of the theories, principles and policies underlying planning and development law with particular focus on Ecologically Sustainable Development and environmental justice;

ULO3: Critically analyse the operation of legal review mechanisms relevant to environmental planning law in assessing the effectiveness and accountability of public authorities involved in environmental planning and assessment at all jurisdictional levels

ULO2: Identify, explain and apply the regulatory scheme for planning, development assessment and approval of land use development at federal, state and local levels as the basis for critically analysis of the Environmental Planning and Assessment Act 1979 (NSW) and Environment Protection Biodiversity Conservation Act 1999 (Cth).

ULO4: Display expertise in forecasting environmental challenges that will affect environmental planning law in the future and how to combat these issues whilst balancing competing interests related to economic benefits of land use planning and development.

ULO5: Critically evaluate how environmental law and policy is politicised across federal, state and local government balance levels and how the economic aspects and attempts to balance economic and environmental priorities of land use.

General Assessment Information

Submission

All assessment work is to submitted electronically via Turnitin accessed through iLearn.

Late Submission Penalty

Unless a Special Consideration request has been submitted and approved, (a) a penalty for lateness will apply – two (2) marks out of 100 will be deducted per day for assignments submitted after the due date – and (b) no assignment will be accepted more than seven (7) days (incl. weekends) after the original submission deadline. No late submissions will be accepted for timed assessments – e.g. quizzes, online tests.

Assessment Tasks

| Name | Weighting | Hurdle | Due |
|--|-----------|--------|-----------------------|
| <u>Analytical Research Essay</u> | 40% | No | April 19 2021 11:59pm |
| <u>Reflective paper of learning experience</u> | 20% | No | May 21 2021 11:59pm |

| Name | Weighting | Hurdle | Due |
|--------------------------------------|-----------|--------|---------------------|
| Take Home assessment | 40% | No | June 3 2021 11:59pm |

Analytical Research Essay

Assessment Type ¹: Essay

Indicative Time on Task ²: 35 hours

Due: **April 19 2021 11:59pm**

Weighting: **40%**

Students will prepare a research essay that analyses a topic relating to environmental planning law

On successful completion you will be able to:

- Acquire and demonstrate specialized knowledge of the theories, principles and policies underlying planning and development law with particular focus on Ecologically Sustainable Development and environmental justice;
- Display expertise in forecasting environmental challenges that will affect environmental planning law in the future and how to combat these issues whilst balancing competing interests related to economic benefits of land use planning and development.
- Critically evaluate how environmental law and policy is politicised across federal, state and local government balance levels and how the economic aspects and attempts to balance economic and environmental priorities of land use.

Reflective paper of learning experience

Assessment Type ¹: Reflective Writing

Indicative Time on Task ²: 10 hours

Due: **May 21 2021 11:59pm**

Weighting: **20%**

Students will write and submit a reflective paper on what they have learnt through the unit

On successful completion you will be able to:

- Acquire and demonstrate specialized knowledge of the theories, principles and policies underlying planning and development law with particular focus on Ecologically Sustainable Development and environmental justice;
- Display expertise in forecasting environmental challenges that will affect environmental planning law in the future and how to combat these issues whilst balancing competing interests related to economic benefits of land use planning and development.

Take Home assessment

Assessment Type ¹: Quiz/Test

Indicative Time on Task ²: 20 hours

Due: **June 3 2021 11:59pm**

Weighting: **40%**

Students will submit responses to questions based on a hypothetical scenario

On successful completion you will be able to:

- Critically analyse the operation of legal review mechanisms relevant to environmental planning law in assessing the effectiveness and accountability of public authorities involved in environmental planning and assessment at all jurisdictional levels
- Identify, explain and apply the regulatory scheme for planning, development assessment and approval of land use development at federal, state and local levels as the basis for critically analysis of the Environmental Planning and Assessment Act 1979 (NSW) and Environment Protection Biodiversity Conservation Act 1999 (Cth).

¹ If you need help with your assignment, please contact:

- the academic teaching staff in your unit for guidance in understanding or completing this type of assessment
- the [Writing Centre](#) for academic skills support.

² Indicative time-on-task is an estimate of the time required for completion of the assessment task and is subject to individual variation

Delivery and Resources

Classes:

Lecture material will be delivered each week. Please note that some smaller lectures will be delivered later in the week following the main lecture - though the weekly allocation will not exceed two hours per week in total.

Weekly mode:

Tutorials are weekly and begin in Week 1.

Classes will be delivered using various combinations of online and face to face delivery.

Lectures will be exclusively online and recorded and uploaded using Zoom.

Weekly tutorials will either be face to face or online. Please ensure that you check the designation of each tutorial (either online to face to face) before you enrol and select your preference. Zoom invitations will be sent to all students in the online tutorials in the week prior to

the commencement of Session 1, 2021.

Intensive/infrequent mode:

For students enrolled in the intensive/infrequent mode (effectively external) all classes will be online.

There are two dates for online engagement with students enrolled in the intensive/infrequent mode:

- 16 April 2021
- 15 May 2021

Zoom invitations will be sent to all students in the intensive/infrequent mode in the week prior to the commencement of Session 1, 2021

Readings and materials:

There is no prescribed text book that students are required to purchase for this unit.

All materials will be available through the MQ Library database. The Reading List will be available on the iLearn page and through Leganto in the week prior to the commencement of Session 1, 2021.

Policies and Procedures

Macquarie University policies and procedures are accessible from [Policy Central \(https://policies.s.mq.edu.au\)](https://policies.s.mq.edu.au). Students should be aware of the following policies in particular with regard to Learning and Teaching:

- [Academic Appeals Policy](#)
- [Academic Integrity Policy](#)
- [Academic Progression Policy](#)
- [Assessment Policy](#)
- [Fitness to Practice Procedure](#)
- [Grade Appeal Policy](#)
- [Complaint Management Procedure for Students and Members of the Public](#)
- [Special Consideration Policy](#)

Students seeking more policy resources can visit [Student Policies \(https://students.mq.edu.au/support/study/policies\)](https://students.mq.edu.au/support/study/policies). It is your one-stop-shop for the key policies you need to know about throughout your undergraduate student journey.

To find other policies relating to Teaching and Learning, visit [Policy Central \(https://policies.mq.edu.au\)](https://policies.mq.edu.au) and use the [search tool](#).

Student Code of Conduct

Macquarie University students have a responsibility to be familiar with the Student Code of Conduct: <https://students.mq.edu.au/admin/other-resources/student-conduct>

Results

Results published on platform other than [eStudent](#), (eg. iLearn, Coursera etc.) or released directly by your Unit Convenor, are not confirmed as they are subject to final approval by the University. Once approved, final results will be sent to your student email address and will be made available in [eStudent](#). For more information visit <ask.mq.edu.au> or if you are a Global MBA student contact globalmba.support@mq.edu.au

Student Support

Macquarie University provides a range of support services for students. For details, visit <http://students.mq.edu.au/support/>

Learning Skills

Learning Skills (<mq.edu.au/learningskills>) provides academic writing resources and study strategies to help you improve your marks and take control of your study.

- [Getting help with your assignment](#)
- [Workshops](#)
- [StudyWise](#)
- [Academic Integrity Module](#)

The Library provides online and face to face support to help you find and use relevant information resources.

- [Subject and Research Guides](#)
- [Ask a Librarian](#)

Student Services and Support

Students with a disability are encouraged to contact the [Disability Service](#) who can provide appropriate help with any issues that arise during their studies.

Student Enquiries

For all student enquiries, visit Student Connect at <ask.mq.edu.au>

If you are a Global MBA student contact globalmba.support@mq.edu.au

IT Help

For help with University computer systems and technology, visit http://www.mq.edu.au/about_us/offices_and_units/information_technology/help/.

When using the University's IT, you must adhere to the [Acceptable Use of IT Resources Policy](#).

The policy applies to all who connect to the MQ network including students.