This subject focuses on the pollution laws applicable in NSW. It also includes consideration of legal responses to pollutants impacting on climate change both internationally and within Australia. The aim of this subject is to provide students with an understanding of the main legal mechanisms to regulate pollution and to think critically about any possible room for improvement.

It will begin by looking at a brief historical development of pollution law and at concepts which underpin the pollution regulatory system. One of the key focuses of this subject is on the Protection of the Environment Operations Act 1997 (NSW), which is the main piece of pollution legislation in NSW. This includes: looking at the Environment Protection Authority (EPA) and Councils as regulators, the environment protection licensing system, environmental offences and sentencing of environmental offenders (including alternative sentencing orders), notice powers (e.g. clean up and prevention notices), civil enforcement and economic measures such as tradeable emission schemes. Legislation relating to contaminated land management and marine pollution will also be examined.

The final component of this subject considers legal responses to carbon pollution and other pollutants impacting on climate change. This will include some consideration of relevant international instruments, with a focus on voluntary and legislative responses to climate change at the NSW and Commonwealth levels and also climate change litigation.

This subject is being offered by Sarah Wright. Prior to joining the School of Law as a Sessional Lecturer, Sarah worked as a solicitor with the NSW Office of Environment and Heritage (which previously incorporated the EPA) and as Tipstaff to the Hon. Justice Nicola Pain of the Land and Environment Court of NSW. She appeared as advocate for the EPA in prosecutions, as well as providing complex legal advice and working on the development, amendment and implementation of legislation. For queries in relation to this subject please contact Sarah at sawright@uow.edu.au.