



**PRIZES
AWARDED**

THE NSW YOUNG LAWYERS ENVIRONMENT AND PLANNING LAW COMMITTEE **ESSAY PRIZE FOR LAW STUDENTS AND LAWYERS** (up to 2yrs PQE) NOW OPEN

1st prize for student and lawyer category: \$250 and a copy of Farrier & Stein's 'The Environmental Law Handbook: Planning & Land Use in NSW (5th Edition)'

Runner up prize for student and lawyer category: Bottle of wine

NSW Young Lawyers Environment and Planning Law Committee Essay Prize

NSW Undergraduate law students and lawyers with up to 2yrs PQE are invited to submit to the Committee an essay of no more than 2,500 words by midnight 10 October 2011 via email to envirolaw.vicechair@younglawyers.com.au. State in your email whether you are entering the 'student' or 'lawyer' category.

You have the choice of one of the following questions:

A. The new State government has repealed Part 3A of the *Environmental Planning and Assessment Act 1979 (NSW)*.

Discuss key differences in the new regime against the old Part 3A regime and whether in your opinion the new regime resolves the criticisms of the old.

B. The recent Montara oil spill raised concerns about the potential for significant ecological damage as a result of offshore petroleum and gas rigs.

What changes to the *Environmental Protection and Biodiversity Conservation Act 1999 (Cth)* would you make to increase protection of the environment against oil spills. You may discuss such things as: broader strict liability offences, increased penalties, liability of directors, regulation by one or more authorities, third party scrutiny and appeal rights of operations and environment plans, transparency of environment plans, comprehensive assessment of risks and operations by authorities.

You are not required to discuss the *Offshore Petroleum and Greenhouse Gas Storage Act 2006 (Cth)* or *Offshore Petroleum and Greenhouse Gas (Environment) Regulations 2009 (Cth)*

C. The precautionary principle is one of the best defined and most discussed of the principles of Ecologically Sustainable Development (ESD) at an international level.¹ It is also the only ESD principle that must be considered by decision makers under section 391 of the *Environmental Protection and Biodiversity Conservation Act 1999 (Cth)* (EPBC Act).

Consider and discuss whether the EPBC Act should be amended to redefine the precautionary principle to make it clearer, stronger and easier to apply in practice. Reference the treatment of the precautionary principle in case law.

Winners presentation

The Honourable Justice Sheahan of the NSW Land and Environment Court will present the winners and runners up with their prizes at an awards ceremony at 6:00pm on Tuesday 1 November 2011 at the Law Society of NSW building.

THE LAW SOCIETY OF NEW SOUTH WALES
youngLAWYERS

¹ 2009 Hawke Review of the EPBC Act at page 231