



**UNSW**

## UNSW Course Outline

# LAWS8071 Development and Planning Law - 2024

Published on the 27 Feb 2024

## General Course Information

**Course Code :** LAWS8071

**Year :** 2024

**Term :** Term 1

**Teaching Period :** T1

**Is a multi-term course? :** No

**Faculty :** Faculty of Law and Justice

**Academic Unit :** School of Law, Society and Criminology

**Delivery Mode :** Multimodal

**Delivery Format :** Standard

**Delivery Location :** Kensington

**Campus :** Sydney

**Study Level :** Postgraduate

**Units of Credit :** 6

### Useful Links

[Handbook Class Timetable](#)

## Course Details & Outcomes

### Course Description

This course introduces students to the legal framework regulating development and planning in NSW, exploring its ambitious and at times conflicting aims of economic development, environmental sustainability and social justice. We will consider the legislation and its evolution,

examining recent reforms in the context of national and international trends in planning law and practice. Students will be encouraged to draw on their personal experience in Sydney and other cities around the world.

This course will prepare students for practice in environmental, property or real estate law, where a sound understanding of the planning framework is essential. It is also recommended for students interested in public policy: planning is a highly political process, particularly in Sydney where it regularly gives rise to fierce disputes in the media and the courts.

### Main topics

- Aims and origins of planning law
- Assessment and approval of development in NSW, including major projects
- The relationship between planning and property law
- Theory and practice of public participation
- Ecologically sustainable development, climate change and planning
- Housing affordability, equity and social justice
- Planning appeals and the NSW Land and Environment Court
- Recent developments in planning law

### Course Aims

To introduce students to the legal framework for planning and development in NSW. To encourage students to critically consider recent developments in planning law in the context of current economic, environmental and social issues.

### Course Learning Outcomes

| Course Learning Outcomes                                                                                                                                                                                                                                   |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| CLO1 : Demonstrate effective oral communication and collaboration through class discussion of complex legal, theoretical and/or professionally relevant planning and development law subject matter in a scholarly and insightful manner (PLOS 1a, 3a, 3b) |
| CLO2 : Engage in complex critical discussions of the planning and planning-related functions of different levels of government, and the roles and contributions of developers, experts and the public (PLOS 1a, 2a, 3a, 3b)                                |
| CLO3 : Navigate and apply statutory and other texts in relation to planning and development law hypothetical fact scenarios (1a, 1b, 2a, 2b)                                                                                                               |
| CLO4 : Engage in advanced critical analysis of key themes, emerging trends and practical problems in planning law in NSW, Australia and internationally by successfully completing an extended research essay (PLOs 1a, 1b, 2a, 2b, 3a, 4)                 |

| Course Learning Outcomes                                                                                                                                                                                                                                   | Assessment Item                                                                                                                              |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|
| CLO1 : Demonstrate effective oral communication and collaboration through class discussion of complex legal, theoretical and/or professionally relevant planning and development law subject matter in a scholarly and insightful manner (PLOS 1a, 3a, 3b) | <ul style="list-style-type: none"> <li>• Class Participation</li> <li>• Class Presentation</li> </ul>                                        |
| CLO2 : Engage in complex critical discussions of the planning and planning-related functions of different levels of government, and the roles and contributions of developers, experts and the public (PLOS 1a, 2a, 3a, 3b)                                | <ul style="list-style-type: none"> <li>• Research Essay (6000 words)</li> <li>• Class Participation</li> <li>• Class Presentation</li> </ul> |
| CLO3 : Navigate and apply statutory and other texts in relation to planning and development law hypothetical fact scenarios (1a, 1b, 2a, 2b)                                                                                                               | <ul style="list-style-type: none"> <li>• Class Participation</li> </ul>                                                                      |
| CLO4 : Engage in advanced critical analysis of key themes, emerging trends and practical problems in planning law in NSW, Australia and internationally by successfully completing an extended research essay (PLOs 1a, 1b, 2a, 2b, 3a, 4)                 | <ul style="list-style-type: none"> <li>• Research Essay (6000 words)</li> </ul>                                                              |

## Learning and Teaching Technologies

Moodle - Learning Management System

## Assessments

### Assessment Structure

| Assessment Item             | Weight | Relevant Dates |
|-----------------------------|--------|----------------|
| Research Essay (6000 words) | 65%    |                |
| Class Participation         | 20%    |                |
| Class Presentation          | 15%    |                |

## Assessment Details

### Research Essay (6000 words)

#### Assessment Overview

Feedback includes formative feedback, peer feedback in class, online and the use of rubric.

#### Course Learning Outcomes

- CLO2 : Engage in complex critical discussions of the planning and planning-related functions of different levels of government, and the roles and contributions of developers, experts and

- the public (PLOS 1a, 2a, 3a, 3b)
- CLO4 : Engage in advanced critical analysis of key themes, emerging trends and practical problems in planning law in NSW, Australia and internationally by successfully completing an extended research essay (PLOs 1a, 1b, 2a, 2b, 3a, 4)

## Class Participation

### Assessment Overview

Not specified

Feedback includes formative feedback, peer feedback in class, online and the use of rubric.

### Course Learning Outcomes

- CLO1 : Demonstrate effective oral communication and collaboration through class discussion of complex legal, theoretical and/or professionally relevant planning and development law subject matter in a scholarly and insightful manner (PLOS 1a, 3a, 3b)
- CLO2 : Engage in complex critical discussions of the planning and planning-related functions of different levels of government, and the roles and contributions of developers, experts and the public (PLOS 1a, 2a, 3a, 3b)
- CLO3 : Navigate and apply statutory and other texts in relation to planning and development law hypothetical fact scenarios (1a, 1b, 2a, 2b)

## Class Presentation

### Assessment Overview

Feedback includes formative feedback, peer feedback in class, online and the use of rubric.

### Course Learning Outcomes

- CLO1 : Demonstrate effective oral communication and collaboration through class discussion of complex legal, theoretical and/or professionally relevant planning and development law subject matter in a scholarly and insightful manner (PLOS 1a, 3a, 3b)
- CLO2 : Engage in complex critical discussions of the planning and planning-related functions of different levels of government, and the roles and contributions of developers, experts and the public (PLOS 1a, 2a, 3a, 3b)

## General Assessment Information

### Grading Basis

Standard

# Course Schedule

## Attendance Requirements

Please see information about attendance requirements in **Law & Justice Assessment Procedure and Student Information** located in the Other Useful Information tab in the Academic Information field.

Please be advised there will be no classes on public holidays. If your class falls on a public holiday, alternative arrangements will be made by the course convenor to make up the missed class.

## Course Resources

### Prescribed Resources

See Moodle page.

### Recommended Resources

See Moodle page.

## Staff Details

| Position | Name          | Email | Location | Phone | Availability | Equitable Learning Services Contact | Primary Contact |
|----------|---------------|-------|----------|-------|--------------|-------------------------------------|-----------------|
| Convenor | Amelia Thorpe |       |          |       |              | Yes                                 | Yes             |

## Other Useful Information

### Academic Information

Upon your enrolment at UNSW, you share responsibility with us for maintaining a safe, harmonious and tolerant University environment.

You are required to:

- Comply with the University's conditions of enrolment.
- Act responsibly, ethically, safely and with integrity.
- Observe standards of equity and respect in dealing with every member of the UNSW community.

- Engage in lawful behaviour.
- Use and care for University resources in a responsible and appropriate manner.
- Maintain the University's reputation and good standing.

For more information, visit the [UNSW Student Code of Conduct Website](#).

## UNSW Law & Justice Assessment Policy

It is essential that all students undertaking this course read and abide by the [UNSW Law & Justice Assessment Policy & Student Information](#). This document includes information on Class Attendance, Late Work, Word Limits, Marking, Special Consideration, Workload, and Academic Misconduct & Plagiarism. More information can also be found at [Assessment & Exam Information](#).

Information regarding Course Outlines are subject to change and students are advised to check updates. If there is a discrepancy between the information posted here and the handbook or the UNSW Law & Justice website, please contact [Student Services via The Nucleus Hub](#) for advice. UNSW Law & Justice reserves the right to discontinue or vary such courses or staff allocations at any time. If your course is not here, please visit [Handbook](#) for information.

## Academic Honesty and Plagiarism

As a student at UNSW you are expected to display [academic integrity](#) in your work and interactions. Where a student breaches the [UNSW Student Code](#) with respect to academic integrity, the University may take disciplinary action under the Student Misconduct Procedure. To assure academic integrity, you may be required to demonstrate reasoning, research and the process of constructing work submitted for assessment.

To assist you in understanding what academic integrity means, and how to ensure that you do comply with the UNSW Student Code, it is strongly recommended that you complete the [Working with Academic Integrity](#) module before submitting your first assessment task. It is a free, online self-paced Moodle module that should take about one hour to complete.

## Submission of Assessment Tasks

Before submitting assessment items all students must read and abide by the [UNSW Law & Justice Assessment Policy & Student Information](#).

## Special consideration

Special consideration is primarily intended to provide you with an extra opportunity to demonstrate the level of performance of which you are capable. To apply, and for further information, see Special Consideration on the UNSW [Current Students](#) page.

## Feedback

UNSW Law & Justice appreciates the need for students to have feedback on their progress prior to the last date for withdrawal without failure. All courses will therefore provide feedback to students prior to this date, as well as throughout the course. However, students should note that feedback does not take the form only of formal grades and written comments on written assessments. Rather, formative feedback, which helps students to self-assess, to identify misunderstandings, and to identify areas requiring further work, will occur during class and possibly online. For example, where a teacher asks the class a question, all students should think about how they might answer. Even though not all students will necessarily be able to respond orally, everyone can reflect on their tentative answer in light of the teacher's response and subsequent class discussion. If you are struggling to understand what is being asked in class, or if your tentative answers prove incorrect and subsequent discussion does not clear things up, then you should continue to ask questions (of yourself, your peers or your teacher). Similarly, you can get a sense of your ability in a course through peer feedback during group work, your teacher's responses to your in-class contributions, and your own response to in-class problems and examples (whether or not you are called on to relay your answer to the class) and also your online activities and responses by others to those activities. Students enrolled in this course may check their Moodle course page for details on the specific feedback used in this course.

## Faculty-specific Information

### Additional support for students

- Student support: <https://www.student.unsw.edu.au/support>
- Academic Skills and Support: <https://student.unsw.edu.au/academic-skills>
- Student Wellbeing, Health and Safety: <https://student.unsw.edu.au/wellbeing>
- Equitable Learning Services: <https://student.unsw.edu.au/els>
- UNSW IT Service Centre: <https://www.myit.unsw.edu.au>

### Course improvement

Student feedback is very important to continual course improvement. This is demonstrated within the Faculty of Law & Justice by the implementation of the UNSW online student survey myExperience, which allows students to evaluate their learning experiences in an anonymous

way. myExperience survey reports are produced from each survey. They are released to staff after all student assessment results are finalised and released to students. Course convenors will use the feedback to make ongoing improvements to the course. Students enrolled in this course may check their Moodle course page for details on the actions taken in response to evaluation feedback in Student Survey.

## School Contact Information

Please contact [Nucleus Student Hub](#) for all enquiries. The Nucleus acts as a central communications hub for UNSW and will distribute your enquiry to the best person to respond.