COURSE OUTLINE

ENP211 Planning and Environmental Law

Course Coordinator: Nicholas Stevens (nstevens@usc.edu.au) **School:** School of Law and Society

2022 | Semester 1

USC Sunshine Coast — BLENDED LEARNING — Most of your course is on campus but you may be able to do some components of this course online.

Please go to the USC website for up to date information on the teaching sessions and campuses where this course is usually offered.

1. What is this course about?

1.1. Description

The purpose of this course is to enable you to build on and integrate your understanding of planning theory, practice and governance, by examining current legislative frameworks of Commonwealth and Queensland and local government planning, environment, and development assessment, enforcement and appeals. Professional skills are developed through practical application to development assessment processes.

1.2. How will this course be delivered?

ACTIVITY	HOURS	BEGINNING WEEK	FREQUENCY
BLENDED LEARNING			
Learning materials – 1 hr per week	1hr	Week 1	13 times
Tutorial/Workshop 1 – 2 hours x 11 weeks	2hrs	Week 1	11 times

1.3. Course Topics

Planning and environmental law

Queensland development assessment system

Queensland planning appeals system and alternative dispute resolution

2. What level is this course?

200 Level (Developing)

Building on and expanding the scope of introductory knowledge and skills, developing breadth or depth and applying knowledge and skills in a new context. May require pre-requisites where discipline specific introductory knowledge or skills is necessary. Normally, undertaken in the second or third full-time year of an undergraduate programs.

3. What is the unit value of this course?

12 units

4. How does this course contribute to my learning?

COURSE LEARNING OUTCOMES On successful completion of this course, you should be able to...		GRADUATE QUALITIES Completing these tasks successfully will contribute to you becoming...
1	Describe and discuss Queenslands Planning Law System	Knowledgeable Sustainability-focussed
2	Use online database searches to inform possible development options for individual sites	Creative and critical thinker Empowered
3	Apply the provisions of Queenslands Development Assessment system and a local planning scheme in assessing a development proposal	Empowered Engaged
4	Describe and identify the relationship between planning and other environmental legislation in Queensland	Empowered Sustainability-focussed
5	Discuss Queensland Planning appeals system, ADR and the planning enforcement system	Knowledgeable Ethical

5. Am I eligible to enrol in this course?

Refer to the USC Glossary of terms for definitions of "pre-requisites, co-requisites and anti-requisites".

5.1. Pre-requisites

Not applicable

5.2. Co-requisites

Not applicable

5.3. Anti-requisites

ENP210

5.4. Specific assumed prior knowledge and skills (where applicable)

Not applicable

6. How am I going to be assessed?

6.1. Grading Scale

Standard Grading (GRD)

High Distinction (HD), Distinction (DN), Credit (CR), Pass (PS), Fail (FL).

6.2. Details of early feedback on progress

Reflection and review of all content is encouraged in weekly interactive tutorials, and feedback will be given in class.

6.3. Assessment tasks

DELIVERY MODE	TASK NO.	ASSESSMENT PRODUCT	INDIVIDUAL OR GROUP	WEIGHTING %	WHAT IS THE DURATION / LENGTH?	WHEN SHOULD I SUBMIT?	WHERE SHOULD I SUBMIT IT?
All	1	Report	Individual	20%	1500 words including graphics, tables and/or appendices	Week 6	Online Assignment Submission with plagiarism check
All	2	Report	Individual	40%	2000 words excluding graphics, tables and/or appendices	Week 10	Online Assignment Submission with plagiarism check
All	3	Examination - Centrally Scheduled	Individual	40%	2 hours	Exam Period	Online Submission

All - Assessment Task 1: Report - Analysis of State interests in development assessment

GOAL:	You will understand the planning system, how State Planning Policies and state interests are considered in Council planning schemes, and how specific environmental legislation is considered in development assessment through SARA.
PRODUCT:	Report
FORMAT:	You will analyse the role of SPPs, the Planning Scheme, and environmental legislation in a potential development, using the format provided on Canvas and write a report to your client (a potential developer) advising them about: a. Any general constraints to development of the property (using planning scheme overlay mapping and codes, SARA referrals) b. The types of development preferred by Council and State government for this area
CRITERIA:	**No.** / **Learning Outcome assessed** 1 — use of the planning scheme, SARA, environmental referrals, mapping, codes and overlays to advise on a)constraints and b) direction for development — 2 2 — ability to draw on relevant matters from learning materials and tutorials about the role and application of the planning scheme and environmental legislation — 1 3 3 — coherent, sequential, logical development of an argument — 3 4 — quality of reporting, with emphasis on structure, and choice of words and grammar — 3 5 — use of cross-referencing to relevant aspects of the planning scheme and environmental legislation, where relevant — 1 2 3

All - Assessment Task 2: Development Assessment Project

GOAL:	You will undertake an assessment of a simple development application against the planning scheme and write a planning report and recommendations (including conditions) to Council based on examples provided.
PRODUCT:	Report
FORMAT:	You will be provided with examples of how a development application is assessed against the Sunshine Coast Planning Scheme 2014 and the provisions of Queensland's Development Assessment Systemunder the Planning Act 2016. You will assess a development application based on the site referred to in Task 1, to determine if it meets the requirements of the Planning Act 2016, the Sunshine Coast Planning Scheme 2014 and other relevant legislative provisions (referrals). You will need to suggest'reasonable and relevant' conditions and provide an adequate 'Notice About Decision / Statement of Reasons' for the decision.

CRITERIA:	No.		Learning Outcome assessed
	1	Understanding of the type of development proposed and whether it aligns with the intent of the planning scheme for the particular zone	1 2
	2	Evidence of assessment against the planning scheme including zones, overlays and codes in accordance with the Planning Act 2016 and Development Assessment Rules 2017.	2 3
	3	Identification of any areas of non-compliance with planning scheme codes and how these have been overcome by the development proposal.	3
	4	Sound argument leading to a logical conclusion and recommendation	3 4
	5	Selection of relevant conditions to guide the construction and ongoing operation of the development.	2 3
	6	coherent, sequential, logical development of an argument leading to a reasonable conclusion and recommendation	3
	7	use of cross-referencing to relevant aspects of the planning scheme	2 3

All - Assessment Task 3: End of Semester Examination

GOAL:	To demonstrate comprehension of concepts, relevant legislation and required readings.
PRODUCT:	Examination - Centrally Scheduled
FORMAT:	The exam will be completed at the end of semester in the time centrally allocated for exams.The exam will require answers to short questions based on learning materials, tutorials and compulsory readings.

CRITERIA:	No.		Learning Outcome assessed
	1	interpretation and analysis of the material covered in the learning materials and tutorials	1 4 5
	2	ability to critically evaluate and apply theoretical concepts	1 4 5

7. Directed study hours

A 12-unit course will have total of 150 learning hours which will include directed study hours (including online if required), self-directed learning and completion of assessable tasks. Directed study hours may vary by location. Student workload is calculated at 12.5 learning hours per one unit.

8. What resources do I need to undertake this course?

Please note: Course information, including specific information of recommended readings, learning activities, resources, weekly readings, etc. are available on the course Canvas site– Please log in as soon as possible.

8.1. Prescribed text(s) or course reader

> There are no required/recommended resources for this course.

8.2. Specific requirements

Information regarding prescribed texts or other associated resources will be made available on Canvas prior to commencement of study

9. How are risks managed in this course?

Health and safety risks for this course have been assessed as low. It is your responsibility to review course material, search online, discuss with lecturers and peers and understand the health and safety risks associated with your specific course of study and to familiarise yourself with the University's general health and safety principles by reviewing the online induction training for students, and following the instructions of the University staff.

10. What administrative information is relevant to this course?

10.1. Assessment: Academic Integrity

Academic integrity is the ethical standard of university participation. It ensures that students graduate as a result of proving they are competent in their discipline. This is integral in maintaining the value of academic qualifications. Each industry has expectations and standards of the skills and knowledge within that discipline and these are reflected in assessment.

Academic integrity means that you do not engage in any activity that is considered to be academic fraud; including plagiarism, collusion or outsourcing any part of any assessment item to any other person. You are expected to be honest and ethical by completing all work yourself and indicating in your work which ideas and information were developed by you and which were taken from others. You cannot provide your assessment work to others. You are also expected to provide evidence of wide and critical reading, usually by using appropriate academic references.

In order to minimise incidents of academic fraud, this course may require that some of its assessment tasks, when submitted to Canvas, are electronically checked through Turnitin. This software allows for text comparisons to be made between your submitted assessment item and all other work to which Turnitin has access.

10.2. Assessment: Additional Requirements

Eligibility for Supplementary Assessment

Your eligibility for supplementary assessment in a course is dependent of the following conditions applying:

The final mark is in the percentage range 47% to 49.4%
The course is graded using the Standard Grading scale
You have not failed an assessment task in the course due to academic misconduct

10.3. Assessment: Submission penalties

Late submission of assessment tasks may be penalised at the following maximum rate:
- 5% (of the assessment task's identified value) per day for the first two days from the date identified as the due date for the assessment task.
- 10% (of the assessment task's identified value) for the third day - 20% (of the assessment task's identified value) for the fourth day and subsequent days up to and including seven days from the date identified as the due date for the assessment task.
- A result of zero is awarded for an assessment task submitted after seven days from the date identified as the due date for the assessment task. Weekdays and weekends are included in the calculation of days late. To request an extension you must contact your course coordinator to negotiate an outcome.

10.4. SafeUSC

USC is committed to a culture of respect and providing a safe and supportive environment for all members of our community. For immediate assistance on campus contact SafeUSC by phone: 07 5430 1168 or using the SafeZone app. For general enquires contact the SafeUSC team by phone 07 5456 3864 or email safe@usc.edu.au.

The SafeUSC Specialist Service is a Student Wellbeing service that provides free and confidential support to students who may have experienced or observed behaviour that could cause fear, offence or trauma. To contact the service call 07 5430 1226 or email studentwellbeing@usc.edu.au.

10.5. Study help

For help with course-specific advice, for example what information to include in your assessment, you should first contact your tutor, then your course coordinator, if needed.

If you require additional assistance, the Learning Advisers are trained professionals who are ready to help you develop a wide range of academic skills. Visit the Learning Advisers web page for more information, or contact Student Central for further assistance: +61 7 5430 2890 or studentcentral@usc.edu.au.

10.6. Wellbeing Services

Student Wellbeing provide free and confidential counselling on a wide range of personal, academic, social and psychological matters, to foster positive mental health and wellbeing for your academic success.

To book a confidential appointment go to Student Hub, email studentwellbeing@usc.edu.au or call 07 5430 1226.

10.7. AccessAbility Services

Ability Advisers ensure equal access to all aspects of university life. If your studies are affected by a disability, learning disorder mental health issue, injury or illness, or you are a primary carer for someone with a disability or who is considered frail and aged, AccessAbility Services can provide access to appropriate reasonable adjustments and practical advice about the support and facilities available to you throughout the University.

To book a confidential appointment go to Student Hub, email AccessAbility@usc.edu.au or call 07 5430 2890.

10.8. Links to relevant University policy and procedures

For more information on Academic Learning & Teaching categories including:

- Assessment: Courses and Coursework Programs
- Review of Assessment and Final Grades
- Supplementary Assessment
- Administration of Central Examinations
- Deferred Examinations
- Student Academic Misconduct
- Students with a Disability

Visit the USC website: https://www.usc.edu.au/explore/policies-and-procedures#academic-learning-and-teaching

10.9. Student Charter

USC is committed to excellence in teaching, research and engagement in an environment that is inclusive, inspiring, safe and respectful. The Student Charter sets out what students can expect from the University, and what in turn is expected of students, to achieve these outcomes.

10.10. General Enquiries

In person:

- **USC Sunshine Coast** - Student Central, Ground Floor, Building C, 90 Sippy Downs Drive, Sippy Downs
- **USC Moreton Bay** - Service Centre, Ground Floor, Foundation Building, Gympie Road, Petrie
- **USC SouthBank** - Student Central, Building A4 (SW1), 52 Merivale Street, South Brisbane
- **USC Gympie** - Student Central, 71 Cartwright Road, Gympie
- **USC Fraser Coast** - Student Central, Student Central, Building A, 161 Old Maryborough Rd, Hervey Bay
- **USC Caboolture** - Student Central, Level 1 Building J, Cnr Manley and Tallon Street, Caboolture

Tel: +61 7 5430 2890

Email: studentcentral@usc.edu.au