

UNDERSTANDING CLIMATE RISK & THE IMPACT ON LEGAL ACTION: STATE AND NATIONAL PERSPECTIVES

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**There have been 3 types of
climate change cases in
Australia in recent years:**

**coal mining
urban sustainability
adaptation**

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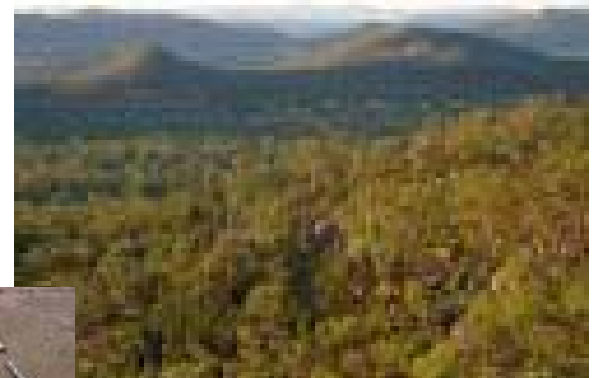
Coal Mining

**Wildlife Preservation Society
v Minister** [2006] FCA 736

Anvil Hill PWA v Minister [2007]

FCA 1480 and [2008] FCAFC 3

Gray v Minister [2006] NSWLEC 720



Urban Sustainability

Drake Brockman v Minister

[2007] NSWLEC 490



Adaptation

Walker v Minister [2007] NSWLEC 741
Northcape Properties v DCYP
SAERDC 50/2007 and SASC 57/2008





An assessment of risk: what have these cases shown?

- cases are arising in a variety of contexts
- clients are pushing to integrate arguments into cases
- cases attracting national attention
- cases are expensive and rare
- complex area with trends difficult to identify
- demonstrated need for law reform