**Legislating for Environmental Limits – What are the possibilities?**

**Brendan Sydes**

Abstract

In this presentation we will discuss current work being undertaken by the Environment Defenders Office Victoria to consider options for what environmental law might look like in the future to better protect and enhance our environment. In particular, we consider what options may exist to develop an enforceable legal framework in Australia that applies the concept of environmental limits.

We will take a brief look at proposals being developed at the international level following on from the scientific research on planetary boundaries. Next, we refer to some specific examples from the United Kingdom, including the adoption of the principle of ‘living within environmental limits’ within sustainable development policy, the use of ‘carbon budgets’, and research and proposals on the feasibility of specific legislation on limits. Finally, we outline examples within existing Australian legislation that could be argued to take a limits approach and some thoughts on potential options for including environmental limits in Australian regulation in the short and long term. An underlying theme which we will seek to address and open up for discussion as part of this presentation is the strengths and weaknesses of regulatory approaches  for governance of environmental limits compared other options such as policy based approaches and voluntarism or behavior change.

Speaker Biography

# Brendan Sydes is a lawyer and CEO of the Environmental Defender’s Office Victoria. He recently contributed a chapter to the forthcoming collected edition “Wild Law in Practice”, called *The Challenges of Putting Wild Law into Practice: Reflections on the Australian Environmental Defenders Office Movement*