

Your legal problem is about ...

Trees and hedges

Residential development

Other development

Mining

Biodiversity

Heritage

Water

Land valuation

Compensation for compulsory acquisition of land

Reviewing a government decision

Failing to obey the law or orders

**Environmental crime**

Aboriginal land claims

## Environmental crime

Planning or environmental laws impose various obligations on people in relation to the activities they can and cannot carry out on land and buildings on land. A failure to comply with these statutory obligations is a criminal offence.

### Prosecutions in the Land and Environment Court

Prosecutions for offences against planning or environmental laws are mostly brought by State and local government authorities. Prosecutions in the Land and Environment Court are allocated to [Class 5](#) of the Court's jurisdiction. They are summary proceedings heard by a judge alone.

### Prosecutions in the Local Court

Prosecutions for environmental offences may also be brought in the [Local Court](#). The Local Court's jurisdiction is limited in terms of the types and range of penalties that can be imposed.

### Appeals to the Land and Environment Court from the Local Court

A person who is convicted and sentenced by the Local Court for an environmental offence may appeal against the conviction and the severity of the sentence to the Land and Environment Court. The prosecutor may also be able to appeal against the leniency of the sentence imposed or the dismissal of the proceedings on a ground that involves a question of law alone.

Appeals by the defendant and prosecutor as of right are in [Class 6](#) of the Court's jurisdiction. The defendant and prosecutor may also be able to appeal by leave against certain decisions of the Local Court. These appeals are in [Class 7](#) of the Court's jurisdiction.

### More information

Find more information about:

- [criminal proceedings for environmental offences in Class 5 of the Court's jurisdiction](#)
- [appeals against convictions and sentences of the Local Court in Classes 6 and 7 of the Court's jurisdiction.](#)

## Environmental Crime

### Fast track ...

Need to know more about environmental crime? Go to:

- [Class 5: criminal proceedings for offences against planning or environmental laws](#)
- [Class 6 and 7: criminal appeals against convictions and sentences for environmental offences by the Local Court.](#)

### Need legal advice or information?

In NSW, there are a number of places where you can get specialised legal advice on the sorts of legal problems heard by the Land and Environment Court. Find out [where to get legal advice and information](#).