

editorial

Dear Readers,

2005 Conference taking shape

Plans for the 2005 National Conference in Canberra from 13-16 July are progressing well with an outstanding array of speakers lined up. Please see the flyer on the back cover for more details, or contact the NELA National Secretariat.

One of the themes of the conference will be environmental law harmonisation. In the longer term, it may be suggested that, due to the difficulties posed by our Federal structure, and the growing realisation that environmental outcomes are determined well beyond the smokestacks of industry, one of the most promising avenues for harmonisation of environmental laws in Australia is an expansion of the scope of Federal law such as taxation and corporations law. On this theme, this issue presents a paper by a graduate student Joel Houdet, which reviews the case for environmental tax reform. With respect to corporations law, we have a paper by chartered accountant Dianne Hughes, on the status of corporate environmental performance reporting. In Casenotes, Chris McGrath has provided an account of preliminary issues in *Humane Society International Inc v Kyodo Senpaku Kaisha Ltd*, concerning an attempt to seek an injunction under the EPBC Act to prohibit illegal whaling within Australian waters.

I would also like to welcome our new WA editors Merinda Logie and Rob Campbell-Watt, and also express our appreciation for the outstanding services provided by their predecessors, Sally Marsh and Lewis McDonald.

Best wishes

Wayne Gumley
National Editor

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NELR editors

NATIONAL EDITOR:

Wayne Gumley

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Wayne has completed a BSc and LLM at Monash University and was first employed as a solicitor in the town of Mansfield close to the mountains of northeast Victoria. He later moved back to Melbourne to join the Australian Government Solicitor's Office, where he carried out a wide range of litigation and advising on behalf of the Commonwealth government and its various agencies, particularly on administrative law and revenue law. In 1992 Wayne joined the Faculty of Business and Economics at Monash as a lecturer in taxation law, and has recently extended his teaching to business law and environmental law. Wayne's research interests centre on emerging regulatory frameworks to assist sustainable development, particularly ecological tax reform and the role of market-based instruments. He is currently on the executive of the Victorian Division of NELA

INTERNATIONAL, ACT EDITOR:

David Jones

*Associate, Baker & McKenzie Solicitors,
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David Jones has been involved with NELA since 1999 and took on these editorial roles at the beginning of 2003. David holds degrees in Law (Hons) and Environmental Science, a Graduate Certificate of Business and is currently completing his PhD with the University of Wollongong. His thesis examines developing systems for climate change regulation, with a particular focus on Australian opportunities for integrated environmental management.

David has worked in private practice for over 5 years, specialising in environmental, local government and planning law. He is a guest lecturer with the University of Wollongong, currently presenting the environmental and government tendering electives of the University's Practical Legal Training program.

NATIONAL & COMMONWEALTH EDITOR:

Elizabeth Marsden

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A graduate of the Australian National University in law and the arts, Elizabeth has been admitted to practice in the ACT and South Australia since 2002/3. While studying law, she was the ACT editor of this journal's predecessor, the *Australian Environmental Law News*. Elizabeth has carried out research for environmental organisations, taught at a university, and practised law in Canada, England and more recently, South Australia. She had an article published in the Canadian *Journal of Environmental Law and Practice* on the domestic implementation of international environmental law, based on her research for the Sierra Legal Defense Fund. Working in McLaren Vale, she currently practises mainly in commercial litigation, with a client base which includes the wine industry.

NEW SOUTH WALES EDITOR:

Dr Nicholas Brunton

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Nicholas Brunton has been a member of NELA and state editor since 1992.

He has degrees in Law and Geography from Macquarie University and received a PhD from the University of Sydney in 1998. His thesis examined the law and policy relating to coastal water pollution in Australia.

Nicholas currently practices in the areas of planning, environment, valuation, property and commercial law. He is also kept busy providing guest lectures at both Sydney and Macquarie Universities.

QUEENSLAND EDITOR:

Chris McGrath

Barrister-at-Law, Brisbane

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Chris McGrath is a barrister in private practice in Brisbane.

He holds bachelor degrees in Law and Science, a Master of Laws (Environmental Law) and is currently a PhD candidate at the Queensland University of Technology. His research interests concentrate on critical analysis of the environmental legal system, particularly evaluating its effectiveness.

His publications include, *Synopsis of the Queensland Environmental Legal System* (2nd ed, Environmental Law Publishing, Brisbane, 2003), available at http://www.qccqld.org.au/resources/qld_env_legal.pdf, which provides an overview of the Queensland environmental legal system.

VICTORIAN EDITOR:

Jennie Slatter

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Jennie Slatter has been Victorian state editor since 2002. She holds a Masters in Environmental Law and a Bachelor of Applied Science in Environmental Assessment and Management. Prior to joining EPA Victoria, Jennie worked in environmental consulting for seven years and previously worked for two years in the environmental department of an open-cut coal Mine in the Hunter Valley. Jennie is a member of the Victorian Planning and Environmental Law Association (VPELA).

SOUTH AUSTRALIAN EDITOR:

Will Webster

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Will has been a member of NELA since 2000, and sits on the South Australian Branch Executive Committee, and the Natural Resources Sub-committee.

He has degrees in Arts and Law from the University of Adelaide.

Will practices at Adelaide firm Mellor Olsson, in the areas of Environmental and Planning Law, and Commercial dispute resolution.

TASMANIAN EDITOR:

Tom Baxter

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Tom Baxter, BEc/LLB(Hons)(Tas), GradCertLegPrac(Tas), LLM(ANU), has been a member of the NELA National Executive since 1997.

After graduating from the University of Tasmania, Tom worked at Dobson, Mitchell & Allport in Hobart from September 1997 to December 1999. From January 2000 to May 2003 he was Legal Officer at the Great Barrier Reef Marine Park Authority, a Commonwealth statutory authority based in Townsville. In June 2003 he returned to Hobart as a Lecturer in Commercial Law at the University of Tasmania.

Merinda Logie

Merinda is joint Vice President of the WA Division of NELA. She has previously been treasurer for the WA Division, and State representative on the National Executive for both Victoria and WA. Merinda is an Associate of Minter Ellison, Perth and has been practising Environment & Planning law in WA and Victoria since September 2000.

Rob Campbell-Watt

Rob is the joint Vice President of the WA Division of NELA and an Associate of Minter Ellison, Perth. He has practised Environment & Planning law for private and public sector clients on a range of projects since January 2002.

Rob was previously admitted and practiced in New South Wales. He is currently studying part-time for the award of Master of Environmental Law through the University of Sydney.'

written contributions and letters to the Editor

Written contributions to the National Environmental Law Review, by way of case note, book review or article are welcomed by the editorial board.

Please send contributions to you state editor in the first instance. They will review contributions and forward them to the national editor. State editorial contact details are on the preceding pages.

As a general guide, articles should be between 3,000-5,000 words in length and should conform to standard conventions of legal writing. Please refer to the Australian Guide to Legal Citation (Melbourne University Law Review Association Inc 1998) as an illustrative style guide.

Acceptance of written work in the NELR does not in any way indicate an adoption by NELA of the opinions expressed by authors. Authors remain responsible for their opinions, and any defamatory or litigious material and the Editor accepts no responsibility for such material.

Letters to the Editor are also welcomed. Please forward these to:

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