

ENVIRONMENTAL AND PLANNING LAW JOURNAL

Volume 25, Number 3

May 2008

LETTER TO THE EDITOR

The welfare of introduced Wild Animals in Australia: A balanced response	157
Author's reply	160

ARTICLES

Ecologically sustainable development in the context of contaminated land – *Hon Justice Brian J Preston*

Ecologically sustainable development is a touchstone guiding development of natural resources and use of land. It is particularly applicable in the context of contaminated land, playing roles in the prevention, remediation and management of contaminated land. This article will outline the concept of ecologically sustainable development and its application to contaminated land. 164

Fringe benefits tax and the company car: Aligning the tax with environmental policy – *Celeste M Black*

Increasingly, environmental taxes have been seen as a legitimate means to address environmental issues, specifically global warming, but opportunities also exist to reform current tax frameworks to align them more closely with environmental objectives. The current regime for the taxation of the company car as a fringe benefit is a clear target for such reform. This article sets out in some detail the operation of the fringe benefits tax with respect to the company car and then identifies the numerous calls for the reform of this regime, coming from both tax and environmental perspectives. The article then describes recent reform initiatives in the United Kingdom and Canada which have incorporated reductions in greenhouse gas emissions as an objective of the taxation regime. The article concludes with suggestions of a way forward in the reform of the Australian regime. 182

The role, use of and requirement for traditional ecological knowledge in bioprospecting and biobanking biodiversity conservation schemes – *Tamzyn Chapman*

Much has been written in recent times about the increasing role of traditional Indigenous ecological knowledge in protecting and conserving the planet's vanishing and increasingly vulnerable biodiversity. Indeed, a return to traditional ecological practices such as traditional harvesting and complementary planting, uses of bush medicines and traditional food sources, traditional fire management and traditional land management practices, might stem the alarming rates of species extinction and the equally alarming loss of traditional knowledge through non-transmission. There is a definite and distinct corollary between the need to protect traditional ecological knowledge and the need to protect biological diversity – for millennia one depended on the other. 196

BOOK REVIEW

Environmental & Planning Law In New South Wales by Rosemary Lyster, Zada Lipman,
Nicola Franklin, Graeme Wiffen and Linda Pearson 218

Guidelines for Contributors

Submission and licence agreement instructions

All contributions to the journal are welcome and should be sent, with a signed licence agreement, to the Production Editor, *Environmental and Planning Law Journal*, Lawbook Co., PO Box 3502, Rozelle, NSW 2039 (mail), 100 Harris St, Pyrmont, NSW 2009 (courier) or by email to eplj@thomson.com.au, for forwarding to the Editor. Licence agreements can be downloaded via the internet at http://www.thomson.com.au/support/as_contributors.asp. If you submit your contribution via email, please confirm that you have printed, signed and mailed the licence agreement to the attention of the Production Editor at the mailing address noted above.

Letters to the Editor

By submitting a letter to the editor of this journal for publication, you agree that Thomson Legal & Regulatory Limited, trading as Lawbook Co., may edit and has the right to, and may license third parties to, reproduce in electronic form and communicate the letter.

Manuscript

Manuscript must be original, unpublished work that has not been submitted for publication elsewhere.

Personal details (name, qualifications, position) for publication and a delivery address, email address and phone number must be included with the manuscript.

Manuscript must be submitted electronically via email or on disk in Microsoft Word format.

Manuscript should not exceed 10,000 words for articles or 1,500-2,000 words for section commentary or book reviews. An abstract of 100-150 words is to be submitted with article manuscripts.

Proof pages will be sent to contributors. Authors are responsible for the accuracy of case names, citations and other references. Excessive changes to the text cannot be accommodated.

This journal complies with the Higher Education Research Data Collection (HERDC) Specifications for peer review. Each article is, prior to publication, reviewed in its entirety by a suitably qualified expert who is independent of the author.

Style

1. Levels of headings should be clearly indicated (no more than four levels).

2. Cases:

Case citation follows case name. Where a case is cited in the text, the citation should follow immediately rather than as a footnote. Give at least two and preferably all available citations, the first listed being the authorised reference.

Australian citations should appear in the following order: authorised series; Lawbook Co./ATP series; other company series (ie CCH, Butterworths); media neutral citation. "At" references should only refer to the best available citation, eg: *Mabo v Queensland [No 2]* (1992) 175 CLR 1 at 34; 66 ALJR 408; 107 ALR 1.

Where only a media neutral citation is available, "at" references should be to paragraph, eg: *YG v Minister for Community Services* [2002] NSWCA 247 at [19].

For international cases best references only should be included.

3. Legislation should be cited as follows:

Trade Practices Act 1974 (Cth), s 51AC. The full citation should be repeated in footnotes.

4. Books should be cited as follows:

Macken JJ, O'Grady P, Sappideen C and Warburton G, *The Law of Employment* (5th ed, Lawbook Co., 2002) p 55.

In footnotes do not use *ibid* or *op cit*. The following style is preferred:

4. Austin RP, "Constructive Trusts" in Finn PD (ed), *Essays in Equity* (Law Book Co, 1985).

5. Austin, n 4, p 56.

5. Journals should be cited as follows:

Odgers S, "Police Interrogation: A Decade of Legal Development" (1990) 14 Crim LJ 220.

Wherever possible use official abbreviations not the full name for journal titles.

In footnotes do not use *ibid* or *op cit*. The following style is preferred:

6. Sheehy EA, Stubbs J and Tolmie J, "Defending Battered Women on Trial: The Battered Woman Syndrome and its Limitations" (1992) 16 Crim LJ 220.

7. Sheehy et al, n 6 at 221.

6. Internet references should be cited as follows:

Ricketson S, *The Law of Intellectual Property: Copyright, Designs and Confidential Information* (Lawbook Co., subscription service) at [16.340], <http://subscriber.lawbookco.com.au> viewed 25-June 2002. Underline the URL and include the date the document was viewed.

For further information visit <http://www.thomson.com.au/legal/> or contact the Production Editor.

SUBSCRIPTION INFORMATION

The *Environmental Planning and Law Journal* comprises six parts a year.

Customer service and sales inquiries:
Tel: 1300 304 195 Fax: 1300 304 196
Web: www.thomson.com.au/legal/p_index.asp
Email: LRA.Service@thomson.com

Editorial inquiries:
Tel: (02) 8587 7000

HEAD OFFICE
100 Harris Street PYRMONT NSW 2009
Tel: (02) 8587 7000 Fax: (02) 8587 7100



© Thomson Legal & Regulatory Limited ABN 64 058 914 668 trading as Lawbook Co.

ISSN 0813-300X

Typeset by Lawbook Co., Pyrmont, NSW

Printed by Ligare Pty Ltd, Riverwood, NSW