

editorial

Dear Readers

Northern exposure

In this issue we have a focus on Northern Australia with a challenging paper by former NELA President and Western Australian Barrister Greg McIntyre SC, who questions the legality of the Howard government's recent 'intervention' in the management of indigenous communities in the Northern Territory. Another example of legal arrangements which detract from the rights of traditional landowners is provided in an article by environmental engineer Dr Gavin Mudd, who describes the regulation of the Ranger uranium project in the Kakadu region. He concludes that the current plethora of legal instruments governing the Ranger mine does not provide the traditional owners, the Mirrar-Gundjeihmi people, with effective control over their land, or sufficient influence over the future of uranium mining.

Climate change law

This issue also contains further updates on the continuing development of climate change law in Australia, with the release of the Green Paper on the Carbon Pollution Reduction Scheme in July 2008 and final report of the Garnaut Climate Change Review in September 2008. The Green paper proposals are explained by Elisa De Wit and Rachael Webb of Deacons Lawyers.

The Climate Change Law book – special offer

It is also a great pleasure to advise that the papers from the 2008 NELA National Conference on Climate Law are soon to be released by Thomson Reuters in a book titled, 'Climate Change Law: Comparative, Contractual and Regulatory Considerations'. The flyer for the book is reproduced on the inside back cover of this issue. As a special offer, NELA and RMLA members can receive a 10% discount on orders placed from the 11th of November 2008 – 4th March 2009. You must quote promotional code P141 to redeem this offer. For further information see www.thomsonreuters.com.au or call 1300 304 195.

Opportunities to contribute

The final article in this issue is a report on the IUCN environmental law program for Oceania prepared by IUCN Oceania legal adviser, Pepe Clarke. The paper describes many impressive achievements by this program in its first year of operation, with assistance from a wide range of willing contributors from our region, including many NELA affiliates. This paper and several items in recent developments section indicate the tremendous importance of NELA's efforts to promote and improve environmental law. Along with the emissions trading proposals, there are several important environmental law consultation processes running at present, which provide outstanding opportunities for NELA members to participate in the law reform process. These include the EPBC Act review and Henry taxation system review, which are both carrying out a wide ranging community consultation this year. For further details, see the Recent Developments section of this issue.

Regards
Wayne Gumley