

BOOK REVIEWS

Farrier, D, Lyster, R, and Pearson, L (1999)
The Environmental Law Handbook (Third edition)
 Redfern Legal Centre Publishing, Redfern. ISBN 0947205-56-X. 650pp.
 (Price not stated).

The third edition of 'The Environmental Law Handbook' is a very valuable contribution to the growing body of literature on environmental law and policy in Australia. With its focus on the law relating to planning and land use in New South Wales, the Handbook is admirably accessible to both specialist and non-specialist alike. The material has been substantially revised and updated since the previous edition, to take account of the significant changes in the law over the last six years. This has been competently attended to by the original author David Farrier, and co-authors Rosemary Lyster and Linda Pearson, (with assistance from Zada Lipman), in the 650 pages that now make up the book.

The Handbook is in four parts. Part I considers the scope of and basic concepts of environmental law. Part II examines planning under the *Environmental Planning and Assessment Act* (EPAA) and public lands. Part III details a number of different areas of project control: development under the EPAA, pollution control and waste disposal, heritage protection, mining control, conserving biodiversity, agriculture, protection of coastal and riverside land, and water supply. Part IV examines environmental assessment under New South Wales and Commonwealth legislation, the latter section mentioning briefly the changes foreshadowed by the *Environmental Protection and Biodiversity Conservation Bill* presently with the Senate (also discussed in Chapter 1).

Substantive environmental law is the primary focus of the book, and procedural issues are not discussed in any detail. The emphasis of the sub-title 'Planning and Land Use in New South Wales' indicates that the marine environment is not specifically dealt with. Above all, the concern is to emphasise the environmental obligations of government, business and the community, to ensure compliance with New South Wales environmental law. While the substantial development of case law since the first edition is discussed, negotiation, not litigation, is the recommended approach, based upon integrated, 'whole of government' strategies for developing and implementing new legislation.

Appendices set out zoning tables for planning control, designated developments for environmental assessment, and scheduled activities for pollution control. They also discuss recent developments in New South Wales since the completion of the manuscript, including an overview of new provisions for domestic water supply, travelling stock reserves and noxious weeds, and the load-based licensing scheme to prevent environmental harm. Abbreviations and Tables of Cases and Statutes are untraditionally located at the end of the text, emphasising that users of the Handbook are likely to include as many non-lawyers as lawyers.

The strengths of the Handbook lie in the helpful explanations of the scope and context of environmental law in Part I, and the demystifying of planning under the EPAA and the law relating to public lands in Part II. Each of the four chapters contained in Part I and II contain much useful background information necessary for the explanation of the specific project control areas in Part III and environmental assessment issues in Part IV. The use of case studies enlivens the text and helpfully places the theoretical discussion in a real life context. This is an extremely useful and very readable book that will remain an excellent reference source for many years to come.

Simon Marsden