

# ENVIRONMENTAL DEFENDERS OFFICE (NT) INC



## ANNUAL REPORT 2010-2011

The EDO (NT) is funded by the Commonwealth Attorney-General, Northern Territory Department of Natural Resources, Environment, The Arts and Sport (NRETAS) through EnvironmeNT Grants, The Funds Management Committee of the Northern Territory through the Legal Practitioners' Fidelity Fund, the Public Purpose Trust Fund of the Northern Territory Law Society and other supporters.

## CONTACT US

Telephone: (08) 8981 5883

Email: [edont@edo.org.au](mailto:edont@edo.org.au)

Website: [www.edo.org.au/edont](http://www.edo.org.au/edont)

Address:

3/98 Woods Street

Darwin NT 0800

Post:

PO Box 4289

Darwin NT 0801

Environmental Defenders Office (NT) Inc

ABN 79 824 805 673

Cover photograph: Wayne Bigg, Mt Gambier on [www.redtail.com.au](http://www.redtail.com.au)

# CONTENTS

Environmental Defenders Office NT – In Summary.....	4
Management Committee .....	4
EDO Staff 2010-2011 .....	4
Financial Summary 2009/10 to 2010/11.....	5
EDO People.....	5
EDO Services.....	5
EDO Objectives .....	6
EDO Work .....	6
Report from the Chair.....	7
Report from the Public Officer.....	8
Report from the Lawyer and Coordinator .....	9
EDO Work .....	10
Advice and Case Work.....	10
Community Legal Education.....	10
Policy and Law Reform .....	10
Australian Network of Environmental Defenders Offices .....	10
Management Committee .....	11
EDO Management Committee Members 2010-2011.....	11
EDO People .....	12
EDO Staff .....	12
Volunteers and Probono .....	13
EDO Supporters .....	13
Statistics.....	15
Treasurer’s Report .....	16
Appendix 1: Auditor’s Report .....	17

## ENVIRONMENTAL DEFENDERS OFFICE NT – IN SUMMARY

### MANAGEMENT COMMITTEE

Earl Johnson (Chairperson)

Rachel Carey (Deputy Chairperson)

Gregory Macdonald (Public Officer)

Steve Davis (Treasurer)

Emily O’Connell (Secretary, Employee Representative)

Stuart Blanch

Jimmy Cocking

Margaret Clinch

Elizabeth Close

Jonathon Kneebone

Nigel Weston

Mark Cowan (until February 2011)

Andrea Videion (until December 2010)

### EDO STAFF 2010-2011

Emily O’Connell, Principal Lawyer and Coordinator (from October 2010)

Mark Cowan, former Principal Lawyer and Coordinator (until September 2010)

Anthony Kung (casual – April-May 2011)

Gabrielle Tipple (casual – January 2011 –)

Andrea Videion (casual – January-March 2011)

Debbie and Duncan Wilson, Debbie Wilson and Associates (consultants)

## FINANCIAL SUMMARY 2009/10 TO 2010/11

	2009/2010 (\$)	2010/2011 (\$)
INCOME	152,082	124,421
EXPENDITURE	147,957	123,404
SURPLUS/(DEFICIT)	4,125	1,017
TOTAL ASSETS	89,571	84,807
TOTAL LIABILITIES	47,246	41,465
NET ASSETS/TOTAL EQUITY	42,325	43,342

## EDO PEOPLE

EDO has one full-time permanent staff member

EDO has permanent part-time bookkeeping services from Debbie Wilson and Associates

EDO was assisted by eight volunteers working in-house and remotely in 2010-2011

EDO received pro-bono support from four barristers in 2010-2011

## EDO SERVICES

- EDO provides independent and free legal advice, community legal education and engages in policy and law reform for the protection of the environment in the public interest.
- In 2010-2011:
  - EDO provided 41 information activities, advices and ongoing case advices to individuals, environmental organisations and community groups.
  - EDO contributed to community legal education by preparing 30 fact sheets on 10 topics in environmental law.
  - Engaged in 16 law reform projects by assisting individuals and environmental organisations and making submissions to the Northern Territory and participating in submissions by ANEDO to the Federal Government.
  - An average 44 publications/month were downloaded from the EDO website assisting people with free legal information.

## EDO OBJECTIVES

EDO's constitutional objectives include:

- To empower the community to protect the environment through law recognising:
  - The suffering, distress and disempowerment that result from environmental damage and from being unable to obtain legal advice, assistance and representation in relation to such damage
  - The importance of public participation in environmental decision making in achieving environmental protection
  - The importance of Aboriginal involvement in protection of the environment
- To provide legal representation, advice, information and services in connection with the conservation, protection, enhancement and/or promotion of the natural and built environment
- To promote community educational programs in matters relating to environmental law in the legal system

## EDO WORK

### INFORM AND ADVISE ABOUT ENVIRONMENTAL LAW

---

The EDO Office is open from 9:00am-5:00pm, Monday-Friday, and offers a free telephone advisory service during office hours.

The EDO publishes fact sheets about environmental law on the EDO website [www.edo.org.au/edont](http://www.edo.org.au/edont).

### LEGAL ADVICE

---

The EDO provides free legal advice to individuals, community groups and environmental groups and referrals to other legal organisations and barristers.

### COMMUNITY LEGAL EDUCATION

---

The EDO produces online fact sheets about environmental law and works to educate the community about environmental law and how to engage in environmental decision-making and law reform.

### POLICY AND LAW REFORM

---

The EDO engages with policy and law reform by meeting with, and making submissions to Northern Territory Government departments, and working with individuals and environmental groups on environmental legal issues to assist them with their campaigns.

EDO participates in the Environmental Practice, Policy and Law Seminar series.

### PUBLICATIONS

---

The EDO publishes fact sheets about environmental law on the EDO website [www.edo.org.au/edont](http://www.edo.org.au/edont) designed to make information about environmental law accessible to the community.

## REPORT FROM THE CHAIR

This has been a most productive year. Mark Cowan our then Principal Solicitor, returned to private practice at the end of 2010 and we were blessed with the presence of his replacement, Emily O’Connell, a very experienced and active principal solicitor. Emily has done amazing things to improve the functioning of the Office both administratively and at the legal level. As chairperson I am aware more than most, of the effort, time and skill that Emily brings to her position. Her professionalism is of the highest order and the Office benefits from that. She also likes to keep the Committee members involved as much as possible which can only make for a stronger organisation. Thank you Emily for your dedication to the organization.

I wish also to thank Rachel Carey who was a former principal solicitor. She has come back to assist us and to give us the benefit of her energy and expertise. We appointed her as a co-chairperson and her experience in the job previously has been of immense benefit to Emily and the Office generally.

I must also thank Greg Mac for his ever present interest and action on behalf of the Office. As I said in last year’s report, Greg is tantamount to being our “anchorman” and is often seen to be doing things on behalf of the Office at ridiculous times of night. As Public Officer, he goes the extra mile (or ten) and his experience and wisdom in the field of environment law and his connections to the Territory certainly give the office a special benefit.

And Steve Davis has been also a wonderful assistance in keeping our finances in order, in a truly professional manner. I wish to thank all other members of the Committee who give of their time to attend meetings and any other duties that arise.

A particular highlight was the recent all day Strategic Planning Day workshop where, with the very skilful guidance of Deb Hall, we looked at ideas for improving our performance and looked at our goals and ways and means of achieving them. I expect much more to come out of that workshop over time as some of the ideas are put into place and/or tested.

I believe that we can look forward to an excellent year ahead with the dedication and expertise of so many good people pushing us forward. With all of the likely developments in the Territory in the future, many of which could be serious threats to the environment, the Environmental Defender’s Office must remain relevant and viable. I think we are in good hands in that regard.

Earl Johnson

Chairperson

## REPORT FROM THE PUBLIC OFFICER

2010/2011 has been a tumultuous, challenging and hopeful year, all in one. This included due to relocation of the Office from Manton Street to Woods Street, followed by Mark Cowan's resignation as principal lawyer in September 2010.

In October 2010 the EDO was fortunate to secure the services of Emily O'Connell as principal lawyer. Emily has done an excellent job over the past 12 months in difficult circumstances. This included a number of significant policy submissions, bringing the gargantuan 'fact sheet' project to fruition, and securing assistance from other EDOs, and further services through the employment of Gabrielle Tipple, Andrea Videion and Anthony Kung, and a number of volunteers. We are grateful for Emily's ability and skills, and the contributions made to the Office by others.

Hopefully the next 12 months will prove consolidating and less challenging for both Emily and the Office. However, one certain challenge will be the necessity to work towards national accreditation in line with the MOU entered into by the EDO (NT) with the National Association of Community Legal Centres in November 2011. This challenge is something which all Management Committee members will need to grasp and become familiar with.

A further and more central challenge will be for the Management Committee to assist the Office, and Emily in particular, to provide a level of legal service which will be demanded by developments in the Territory which are relevant to the EDO's objects. These will gain momentum in 2011/2012.

The EDO complied with the processes prescribed by the Commissioner of Consumer Affairs under the *Associations Act* during 2010/2011.

Greg Macdonald

Public Officer

## REPORT FROM THE LAWYER AND COORDINATOR

The 2010-2011 has been a busy and productive year for the EDO NT.

I commenced my role as Principal Lawyer and Coordinator for EDO NT in October 2010, after volunteering with the passionate team at EDO Victoria.

EDO has provided important support for individuals and environmental organisations through community legal education, the provisions of information and advice and making law reform submissions to the Northern Territory government. One of EDO's major achievements for the year was the production of 30 fact sheets in 10 different areas of environmental law for online production in the new financial year. This project was primarily funded by the Law Society – Public Purpose Trust Fund and builds on the unique and important contribution to legal education EDO offers for the protection of the environment in the Northern Territory.

Another contribution, of which EDO is particularly proud, is a report to the Environment Protection Authority regarding a model for sustainability reporting in the Northern Territory in response to the EPA's increased responsibilities to report on the cumulative impacts of development in the Northern Territory. The EPA will be the first agency in Australian to implement sustainability reporting.

EDO made a number of law reform submissions including the *Native Vegetation Bill* expected to be passed by Northern Territory Government by the end of 2011.

With the support of EDO Victoria, EDO was able to provide legal advice to environmental organisations on important public interest environmental law matters for the Northern Territory.

Many individuals and organisations provide support to this office. There are too many to name in this report. I would like to particularly acknowledge a few people who volunteer a significant amount of their own time to ensure the continued operation of the EDO.

I acknowledge the support of the members of the Management Committee who volunteer their time to govern the EDO. Thank you to Earl Johnson, Chairperson, and Rachel Carey, Deputy Chairperson, for their guidance and support.

I would also like to particularly thank Greg Macdonald, Public Officer, of the EDO Management Committee for his untiring and generous support for the EDO.

Thank you to the team at EDO Victoria for their support and enthusiasm and the support of the ANEDO network. In particular, I would like to acknowledge and thank Brendan Sydes, CEO of EDO Victoria, for his enthusiasm, his continued guidance and generous sharing of his knowledge and expertise.

Thank you to all supporters of the EDO. We could not be able to provide our services to the community without you.



Emily O'Connell

Principal Lawyer and Coordinator

27 September 2011

## EDO WORK

### ADVICE AND CASE WORK

EDO provided information and legal advice to individuals, community groups and environmental organisations on 32 advices and cases in 2010/2011. EDO worked with other EDOs on three major case work matters and referred two matters to barristers in the Northern Territory and Victoria, respectively, for advice.

### COMMUNITY LEGAL EDUCATION

EDO produced for online publication 30 fact sheets on 10 different areas of environmental law comprising:

- Introduction to environmental law
- Taking action
- Accessing information
- Planning and development
- Environment impact assessment
- Mining
- Pollution and waste control
- Chemicals and pesticides
- Protecting native vegetation
- Weeds and invasive species

### POLICY AND LAW REFORM

EDO contributed to 16 law reform submissions to the Northern Territory Government and the Federal Government. EDO made submissions to the Northern Territory Government on proposed amendments to the *Mining Management Act*, the proposed *Native Vegetation Bill* and the *Pastoral Land (Amendment) Act*.

EDO made a submission to the Northern Territory Environment Protection Authority regarding sustainability reporting in response to the EPA's recently expanded responsibilities to report on the cumulative impacts of development in the Northern Territory.

EDO has assisted individuals and environmental organisations in making law reform submissions to the Northern Territory Government.

EDO has engaged with ANEDO in making law reform submissions to the Federal Government including the submission to the Federal Government's response to the Montara Commission of Inquiry.

### AUSTRALIAN NETWORK OF ENVIRONMENTAL DEFENDERS OFFICES

EDO has built on and maintained its strong links with the Australian Network of Environmental Defenders Offices. EDO signs onto ANEDO law reform submissions to the Federal Government and participates in phone links up with the other

EDO offices and planning for the future of ANEDO. EDO's lawyer participates in training with, and regularly visits the office of EDO Victoria.

## MANAGEMENT COMMITTEE

### EDO MANAGEMENT COMMITTEE MEMBERS 2010-2011

**Earl Johnson, Chairperson**, has been the Chairperson of the EDO for the past 5 years. Earl is a lawyer with Solicitor for the Northern Territory and sits as the Member on the Residential Tenancies Tribunal. Earl worked and continues to volunteer at the Darwin Community Legal Centre.

**Rachel Carey, Deputy Chairperson**, recently joined the Management Committee as the Deputy Chairperson. Rachel has an intimate knowledge of EDO from both a governance and operations perspective having worked as the Principal Lawyer and Coordinator from 2007-2010.

**Gregory Macdonald, Public Officer**, is currently the Public Officer of EDO and assists liaison between the Management Committee and Principal Lawyer, and by supporting the lawyer in a range of aspects required in managing the office. Greg is a lawyer with the Solicitor for the Northern Territory, out-posted to the Solicitor-General's Chambers. As the longest-standing member of the Management Committee, having joined the Committee in the 1990s, he has a patchy historical knowledge of the EDO.

**Steve Davis, Treasurer**, is the Treasurer of the EDO. Steve is a chartered accountant at Nair Watkins and has a broad range of experience acting as treasurer for community organisations.

**Emily O'Connell, Employee Representative and Secretary**, recently joined EDO as the Principal Lawyer and Coordinator and acts as the Employee Representative and the Secretary to the Management Committee. Emily has worked as a planning and environment lawyer for 7 years in Victoria and more recently volunteered at EDO Victoria before taking up her position with EDO NT. Emily is also a member of the EDO Fundraising Subcommittee.

**Stuart Blanch** has been a member of the Management Committee since 2007. Stuart is the Coordinator of the Environment Centre NT.

**Jimmy Cocking** recently joined the Management Committee and is the Coordinator of the Arid Lands Environment Centre (ALEC).

**Margaret Clinch** has been a long-standing member of the Management Committee. Margaret is the Convener of PLAN: the Planning Action Network Inc - a community group working for social, cultural, environmental and long term economic sustainability.

**Elizabeth Close** has been a long-standing member of the Management Committee. Elizabeth is the Director of the NT National Trust.

**Jonathon Kneebone** recently joined the Management Committee. Jonathon is a lawyer at the Northern Land Council.

**Nigel Weston** recently joined the Management Committee and is the Program Manager at Territory Natural Resource Management. Nigel is also a member of the EDO Fundraising Subcommittee.

**Mark Cowan** is the former Principal Lawyer and Coordinator of the EDO and acted as the Employee Representative and Secretary of the Management Committee during 2009 and 2010. Mark resigned his position as Principal Lawyer and Coordinator when he moved to Brisbane in September 2010 where he continues to work as an environmental lawyer and concluded his term as a member of the Management Committee in February 2011.

**Andrea Videion** formerly worked as a lawyer at the Northern Land Council concluded her term with the Management Committee in December 2010 when she moved to Melbourne where she works as a generalist lawyer.

#### COMMITTEE ATTENDANCE 2010-2011

Earl Johnson, Chairperson	5
Rachel Carey (Deputy Chairperson) (since December 2010)	2
Gregory Macdonald (Public Officer)	4
Steve Davis (Treasurer)	3
Emily O'Connell (Secretary, Employee Representative) (since December 2010)	4
Stuart Blanch	3
Jimmy Cocking	2
Margaret Clinch	3
Elizabeth Close	2
Jonathon Kneebone (since December 2010)	1
Nigel Weston	3
Mark Cowan (until February 2011)	1
Andrea Videion (until December 2010)	2

#### EDO PEOPLE

#### EDO STAFF

Emily O'Connell, Principal Lawyer and Coordinator (from October 2010)

Mark Cowan, former Principal Lawyer and Coordinator (until September 2010)

Anthony Kung (casual – April-May 2011)

Gabrielle Tipple (casual – January 2011 –)

Andrea Videion (casual – January – March 2011)

Debbie and Duncan Wilson, Debbie Wilson and Associates (consultants)

## VOLUNTEERS AND PROBONO

EDO relies on the generous contribution of volunteers and pro-bono service providers to operate and provides services to the Northern Territory community. The voluntary contribution of time and expertise is important in all areas of our operations including office administration, the provision of information and advice, and writing publications and submissions.

EDO wishes to thank those individuals who opened up their houses to inter-state volunteers and employees so that they could volunteer and work in-house.

EDO works with barristers who have volunteered their expertise directly to the EDO or via referrals through the NT Law Society Pro-Bono Clearing House.

## EDO SUPPORTERS

EDO wishes to thank the following people and organisations for their support.

## FUNDING AND DONATIONS

---

### SERVICE AND PROJECT FUNDS

Commonwealth of Australia - Community Legal Service Program.

Northern Territory Government Department of Natural Resources, Environment, The Arts and Sport (NRETAS) - EnvironmeNT Grant.

Northern Territory Law Society - Funds Management Committee Legal Practitioners' Fidelity Fund.

Northern Territory Law Society – Public Purpose Trust Fund.

### INDIVIDUAL DONORS

Individuals and members who have made donations.

## ORGANISATIONS

---

Climate Change and Environmental Law Panel (Victorian Bar)

Environment Defenders Office (Vic) Ltd

Environmental Defenders Office (NSW) Ltd

Environmental Defenders Office (Qld) Ltd

Environment Centre Northern Territory for providing support to the EDO Law Reform Program

Northern Territory Environment Protection Authority

Northern Territory Law Society Pro-bono Clearing House

## INDIVIDUALS

---

Sophie Anderson

Christine Bell

Jo Bragg

Adrian Finanzio

Mandy Johnson

Cathy Macdonald

Caitlin McAlister

Elizabeth McKinnon

Felicity Millner

Richard Niall SC

Nicki Petrou

Michael Power

Samitha Rao

Nicola Rivers

Kirsty Ruddock

John Scanlon

Jeff Smith

Jacinta Stanford

Brendan Sydes

Megan Utter

Adrienne Walters

Rupert Watters

Raelene Webb SC

## VOLUNTEER LAWYERS AND LAW STUDENTS

---

Louisa Burke

Anthony Kung

Anna Kutner

Tom McCrie

Steven Perry

Jessica Ralph

Gabrielle Tipple

Hilbert Wienekamp

## STATISTICS

In accordance with the funding requirements of the Community Legal Services Program (CLSP), the EDO records the legal services it provides in the Community Legal Services Information System (CLSIS). This system provides a summary of how EDO has provided legal services to the community in 2010-2011 through the CLSP, as follows:

## ACTIVITIES

Type of activity	Number
<b>Advice and cases</b>	<b>41</b>
Information and advice	25
Cases opened	7
Cases completed	9
<b>Projects</b>	<b>34</b>
Community legal education	18
Law reform submissions	16

## TREASURER'S REPORT

### COMMONWEALTH FUNDING

---

The main source of EDO(NT)'s operational funding continues to be from the Commonwealth Attorney General's Department (AGD) with **\$90,517** received this year.

### SOURCE EXTENT AND PURPOSE OF FUNDING FROM OTHER BODIES

---

A **\$10,000** grant was also received this year to date from NRETA and **\$17,424** from the Public Purpose Trust.

### SELF GENERATED INCOME

---

Additional income of \$3,941 was generated for the year through:

-	Credit Interest Earned	<b>\$3,214</b>
	Memberships	<b>\$ 30</b>
	Costs Recovered	<b>\$ 380</b>
	Consulting/Lecture Fees	<b>\$ 250</b>
-	Donations	<b>\$ 67</b>

EDO (NT)'s total income earned for the year (including carry forward unexpended grants and surpluses) is **\$124,421**.

### EXPENDITURE

---

Total expenditure for the year amounted to **\$123,404** with the main expense being wages at **\$88,714** and super of **\$7,227**. These account for 77% of all outgoings.

EDO(NT)'s net surplus for the year stands at **\$ 1,017**.

I would to thank Duncan and Debbie Wilson for their professional management of EDO NT's financial systems in the 2010-2011 financial year. They continue to provide a high level of professional service.

Steve Davis

EDO NT Treasurer



**ENVIRONMENTAL DEFENDERS  
OFFICE NT INCORPORATED**

Financial Report  
For the year ended 30 June 2011

TDH Chartered Accountants  
GPO Box 4587  
Darwin NT 0801

Phone: 08 8941 1460 Fax: 08 8941 1450  
Email: [admin@tdhnt.com.au](mailto:admin@tdhnt.com.au)

# Environmental Defenders Office NT Incorporated

## Contents

For the Year Ended 30 June 2011

	<b>Page</b>
<b>Financial Statements</b>	
Committee's Report	1
Statement of Comprehensive Income	2
Statement of Financial Position	3
Statement of Changes in Equity	4
Cash Flow Statement	5
Notes to the Financial Statements	6
Committee's Declaration	11
Independent Audit Report	12
Income and Expenditure Statement	14

# Environmental Defenders Office NT Incorporated

## Committee's Report

30 June 2011

Your committee members submit the financial report of the association for the financial year ended 30 June 2011.

### 1. General information

#### Committee members

The names of committee members throughout the year and at the date of this report are:

Earl Johnson - Chairperson	Member for full year
Stephen Davis - Treasurer	Member for full year
Mark Cowan - Secretary	Resigned February 2011
Greg Macdonald - Public Officer	Member for full year
Gill Ainsworth	Resigned September 2010
Rachel Carey - Deputy Chairperson	Appointed September 2010
Stuart Blanch	Member for full year
Margaret Clinch	Member for full year
Elizabeth Close	Member for full year
Andrea Videon	Resigned December 2010
Jimmy Cocking	Appointed April 2010
Nigel Weston	Appointed September 2010
Emily O'Connell - Secretary/Employee Representative	Appointed October 2010
Jonathon Kneebone	Appointed December 2010

#### Principal activities

The principal activities of association during the financial year were:

- to empower the community to protect the environment through law,
- to provide legal representation, advice, information and education.

#### Significant changes

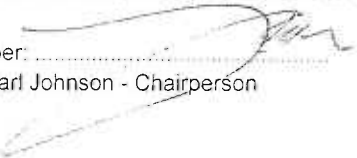
No significant change in the nature of these activities occurred during the year.

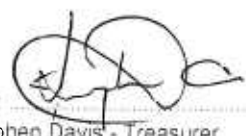
### 2. Operating results and review of operations for the year

#### Operating result

The profit of the association for the financial year after providing for income tax amounted to \$ 1,017(2010: \$ 4,125).

Signed in accordance with a resolution of the Members of the Committee:

Committee Member:   
Earl Johnson - Chairperson

Committee Member:   
Stephen Davis - Treasurer

Dated this 29 day of September 2011

Environmental Defenders Office NT Incorporated

**Statement of Comprehensive Income**  
For the Year Ended 30 June 2011

	Note	2011 \$	2010 \$
Other income	2	124,421	152,081
Employee benefits expense		(100,888)	(111,416)
Accounting fees		(6,954)	(8,629)
Conference fees		171	(4,925)
Equipment < \$5,000		-	(597)
Rent		(3,347)	(4,091)
Outreach expenses		(2,296)	(6,324)
Printing and stationary		(1,279)	(2,117)
Other expenses		(8,811)	(9,857)
<b>Total comprehensive income for the year</b>		<u>1,017</u>	<u>4,125</u>

The accompanying notes form part of these financial statements

**Statement of Financial Position**

30 June 2011

	Note	2011 \$	2010 \$
<b>ASSETS</b>			
<b>CURRENT ASSETS</b>			
Cash and cash equivalents	3	75,853	80,201
Trade and other receivables	4	6,989	4,938
Other assets	5	1,965	4,432
<b>TOTAL CURRENT ASSETS</b>		<u>84,807</u>	<u>89,571</u>
<b>NON-CURRENT ASSETS</b>			
<b>TOTAL ASSETS</b>		<u>84,807</u>	<u>89,571</u>
<b>LIABILITIES</b>			
<b>CURRENT LIABILITIES</b>			
Trade and other payables	6	12,956	16,239
Annual leave provision	7	4,931	4,890
Other liabilities	8	23,578	26,117
<b>TOTAL CURRENT LIABILITIES</b>		<u>41,465</u>	<u>47,246</u>
<b>NON-CURRENT LIABILITIES</b>			
<b>TOTAL LIABILITIES</b>		<u>41,465</u>	<u>47,246</u>
<b>NET ASSETS</b>		<u>43,342</u>	<u>42,325</u>
<b>EQUITY</b>			
Retained Earning/profit		<u>43,342</u>	<u>42,325</u>
<b>TOTAL EQUITY</b>		<u>43,342</u>	<u>42,325</u>

The accompanying notes form part of these financial statements.

Environmental Defenders Office NT Incorporated

**Statement of Changes in Equity**

For the Year Ended 30 June 2011

2011

	Retained Earnings	Total
	\$	\$
Balance at 1 July 2010	42,325	42,325
Profit for the year	1,017	1,017
<b>Sub-total</b>	<b>1,017</b>	<b>1,017</b>
Balance at 30 June 2011	43,342	43,342

2010

	Retained Earnings	Total
	\$	\$
Balance at 1 July 2009	38,200	38,200
Profit for the year	4,125	4,125
<b>Sub-total</b>	<b>4,125</b>	<b>4,125</b>
Balance at 30 June 2010	42,325	42,325

The accompanying notes form part of these financial statements.

Environmental Defenders Office NT Incorporated

**Cash Flow Statement**

For the Year Ended 30 June 2011

	2011	2010
Note	\$	\$
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>		
Receipts from customers	(2,050)	(4,938)
Payments to suppliers and employees	(124,203)	(149,905)
Interest received	3,237	2,763
Receipt from grants	117,941	138,893
Other receipts	727	5,125
Net cash provided by (used in) operating activities	<u>9</u> (4,348)	<u>(8,062)</u>
Net increase (decrease) in cash and cash equivalents held	(4,348)	(8,062)
Cash and cash equivalents at beginning of financial year	<u>80,201</u>	<u>88,263</u>
Cash and cash equivalents at end of financial year	<u>3</u> <u>75,853</u>	<u>80,201</u>

The accompanying notes form part of these financial statements.

## Notes to the Financial Statements

For the Year Ended 30 June 2011

### 1 Summary of Significant Accounting Policies

#### (a) Basis of preparation

This financial report is a special purpose financial statements prepared in order to satisfy the financial reporting requirements of the Associations Act Northern Territory. The committee has determined that the association is not a reporting entity.

The financial report has been prepared on an accruals and is based on historic costs and does not take into account changing money values or, except where specifically stated, current valuations of non-current assets.

The following significant accounting policies, which are consistent with the previous period unless otherwise stated, have been adopted in the preparation of this financial report.

AASB 101: Presentation of Financial Statements

AASB 107: Cash flow statements

AASB 110: Events after Reporting Period

AASB 1031: Materiality

#### (b) Comparative figures

Comparative figures have been adjusted to conform to changes in presentation for the current financial year where required by Australian Accounting Standards or as a result of a change in accounting policy.

#### (c) Property, plant and equipment

Leasehold improvements and office equipment are carried at cost less, where applicable, any accumulated depreciation.

The depreciable amount of all PPE is depreciated over the useful lives of the assets to the association commencing from the time the asset is held ready for use.

Leasehold improvements are amortised over the shorter of either the unexpired period of the lease or the estimated useful lives of the improvements.

#### (d) Cash and cash equivalents

Cash and cash equivalents include cash on hand, deposits held at call with banks, other short-term highly liquid investments with original maturities of three months or less.

#### (e) Employee benefits

Provision is made for the association's liability for employee benefits arising from services rendered by employees to the end of the reporting year. Employee benefits have been measured at the amounts expected to be paid when the liability is settled.

#### (f) Income tax

No provision for income tax has been raised as the association is exempt from income tax under Div 50 of the *Income Tax Assessment Act 1997*.

## Notes to the Financial Statements

For the Year Ended 30 June 2011

### 1 Summary of Significant Accounting Policies continued

#### (g) Revenue and other income

Revenue is measured at the fair value of the consideration received or receivable after taking into account any trade discounts and volume rebates allowed. For this purpose, deferred consideration is not discounted to present values when recognising revenue.

Interest revenue is recognised using the effective interest rate method, which for floating rate financial assets, is the rate inherent in the instrument.

Grant and donation income is recognised when the association obtains control over the funds which is generally at the time of receipt.

All revenue is stated net of the amount of goods and services tax (GST).

#### (h) Going concern

The financial report has been prepared on the going concern basis. This basis has been adopted as the association has received a guarantee of continuing financial support from the Attorney General's Department to allow the association to meet its liabilities and it is the belief of the committee that such financial support will continue to be made available.

#### (i) Unexpended Grants

Grants received by the association for specific projects that are not fully expended at year end have been transferred as unexpended funds for the financial year end.

Grants received in the period prior to when they are to be treated as grants in advance at year end.

**Notes to the Financial Statements**  
**For the Year Ended 30 June 2011**

**2 Revenue and Other Income**

Revenue from continuing operations

	2011	2010
	\$	\$
Other revenue		
- interest received	3,214	2,855
- operating grants	120,480	144,102
- donations	67	1,000
- member subscriptions	30	-
- other revenue	630	4,125
<b>Total Revenue</b>	<b>124,421</b>	<b>152,082</b>

**3 Cash and Cash Equivalents**

	2011	2010
	\$	\$
Cash at bank and in hand	75,853	80,201
	<b>75,853</b>	<b>80,201</b>

**Reconciliation of cash**

Cash at the end of the financial year as shown in the cash flow statement is reconciled to items in the statement of financial position as follows:

	2011	2010
	\$	\$
Cash and cash equivalents	75,853	80,201
<b>Balance as per cash flow statement</b>	<b>75,853</b>	<b>80,201</b>

**4 Trade and Other Receivables**

	2011	2010
	\$	\$
<b>CURRENT</b>		
Trade receivables	5,109	4,125
Other receivables	1,880	813
<b>Total current trade and other receivables</b>	<b>6,989</b>	<b>4,938</b>

## Notes to the Financial Statements

For the Year Ended 30 June 2011

### 5 Other Assets

	2011	2010
	\$	\$
CURRENT		
Prepayments	1,713	4,157
Accrued income	252	275
	<u>1,965</u>	<u>4,432</u>

### 6 Trade and Other Payables

	2011	2010
	\$	\$
CURRENT		
Trade payables	1,016	3,403
Accrued expenses	3,978	1,887
Audit accrual	1,650	1,650
Superannuation payable	-	783
PAYG Withholding	6,312	8,516
	<u>12,956</u>	<u>16,239</u>

### 7 Provisions

	2011	2010
	\$	\$
Annual leave provision	4,931	4,890
	<u>4,931</u>	<u>4,890</u>

### 8 Other Liabilities

	2011	2010
	\$	\$
Unexpended grants	23,578	26,117
	<u>23,578</u>	<u>26,117</u>

## Environmental Defenders Office NT Incorporated

### Committee's Declaration

The committee has determined that the association is not a reporting entity and that this special purpose financial report should be prepared in accordance with the accounting policies outlined in Note 1 to the financial statements.

In the opinion of the committee the financial report as set out on pages 2 to 10:

1. Presents a true and fair view of the financial position of Environmental Defenders Office NT Incorporated as at 30 June 2011 and its performance for the year ended on that date.
2. The accounts of Environmental Defenders Office NT Incorporated have been properly prepared and are in accordance with the books of account of the association.
3. At the date of this statement, there are reasonable grounds to believe that Environmental Defenders Office NT Incorporated will be able to pay its debts as and when they fall due.

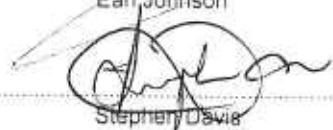
This statement is made in accordance with a resolution of the committee and is signed for and on behalf of the committee by:

Chairperson



Earl Johnson

Treasurer



Stephen Davis

Dated 29 September 2011

## Notes to the Financial Statements

For the Year Ended 30 June 2011

### 9 Cash Flow Information

(a) Reconciliation of result for the year to cashflows from operating activities

Reconciliation of net income to net cash provided by operating activities:

	2011	2010
	\$	\$
Profit for the year	1,017	4,125
Cash flows excluded from profit attributable to operating activities		
Non-cash flows in profit:		
Changes in assets and liabilities, net of the effects of purchase and disposal of subsidiaries:		
- (increase)/decrease in trade and other receivables	(2,051)	(4,938)
- (increase)/decrease in prepayments	2,467	(3,243)
- increase/(decrease) in trade and other payables	(5,822)	(4,449)
- increase/(decrease) in employee benefits	41	443
Cashflow from operations	<u>(4,348)</u>	<u>(8,062)</u>



Tel: 08 8941 1460  
Fax: 08 8941 1450  
Email: admin@tdhnt.com.au

3/3 Nylander Street  
Parap NT 0820

GPO Box 4587  
Darwin NT 0801

## Environmental Defenders Office NT Incorporated

# Independent Audit Report to the members of Environmental Defenders Office NT Incorporated

### Report on the Financial Report

We have audited the accompanying financial report being a special purpose financial report, of Environmental Defenders Office NT Incorporated, which comprises the statement of financial position as at 30 June 2011, the statement of comprehensive income for the year then ended, notes comprising a summary of significant accounting policies and other explanatory information, and the committee's statement

#### *Committee's Responsibility for the Financial Statements*

The officers of Environmental Defenders Office NT Incorporated are responsible for the preparation of the financial report and have determined that the basis of preparation described in Note 1, is appropriate to meet the requirements of the Associations Act 2004 of the Northern Territory and is appropriate to meet the needs of the members. The officers' responsibility also includes such internal control as the officers determines is necessary to enable the preparation of a financial report that is free from material misstatement, whether due to fraud or error.

#### *Auditor's Responsibility*

Our responsibility is to express an opinion on the financial report based on our audit. We conducted our audit in accordance with Australian Auditing Standards. Those standards require that we comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance about whether the financial report is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial report. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial report, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the association's preparation of the financial report that gives a true and fair view, in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the association's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the officers, as well as evaluating the overall presentation of the financial report.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

#### *Independence*

In conducting our audit, we have complied with the independence requirements of the Australian professional ethical pronouncements.

## Environmental Defenders Office NT Incorporated

### Independent Audit Report to the members of Environmental Defenders Office NT Incorporated

#### *Basis of Qualified Auditor's Opinion*

It is not practical for the association to establish accounting controls over all sources of income prior to its receipt and accordingly it is not possible for our examination to include audit procedures to extend beyond the amounts recorded in the accounting records of the association.

#### *Qualified Auditor's Opinion*

In our opinion, except for the effects on the financial statements of the matter referred to in the qualification paragraph, the financial report presents fairly, in all material respects, the financial position of Environmental Defenders Office NT Incorporated as at 30 June 2011, and its financial performance and its cash flows for the year then ended in accordance with the accounting policies described in Note 1 to the financial statements and the Associations Act 2004 of the Northern Territory.

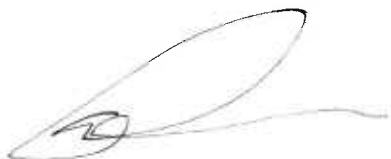
#### *Basis of Accounting and Restriction on Distribution*

Without modifying our opinion, we draw attention to Note 1 to the financial report, which describes the basis of accounting. The financial report has been prepared to assist Environmental Defenders Office NT Incorporated to meet the requirements of the Associations Act 2004 of the Northern Territory. As a result, the financial report may not be suitable for another purpose.

#### *Going Concern*

Without qualification to the opinion expressed above, attention is drawn to the following matter. As disclosed in Note 1, the income received by the association is predominantly sourced from Attorney General's Department. The appropriateness of preparing the association's financial statements on a going concern basis is dependant upon this continued support.

TDH Chartered Accountants



Adam Dohnt  
Director

30 September 2011



Tel: 08 8941 1460  
Fax: 08 8941 1450  
Email: admin@tdhnt.com.au

3/3 Nylander Street  
Parap NT 0820

GPO Box 4587  
Darwin NT 0801

## Environmental Defenders Office NT Incorporated For the Year Ended 30 June 2011

### Disclaimer

The additional financial data presented on pages 14 - 15 is in accordance with the books and records of the association which have been subjected to the auditing procedures applied in our statutory audit of the association for the year ended 30 June 2011. It will be appreciated that our statutory audit did not cover all details of the additional financial data. Accordingly, we do not express an opinion on such financial data and we give no warranty of accuracy or reliability in respect of the data provided. Neither the firm nor any member or employee of the firm undertakes responsibility in any way whatsoever to any person (other than Environmental Defenders Office NT Incorporated) in respect of such data, including any errors of omissions therein however caused.

TDH Chartered Accountants

A handwritten signature in black ink, appearing to read 'Adam Dohnt', is written over a horizontal line.

Adam Dohnt  
Director

30 September 2011

**Environmental Defenders Office NT Incorporated**  
**For the Year Ended 30 June 2011**

**Profit and Loss Account**

	2011	2010
	\$	\$
<b>Income</b>		
Fees	250	4,125
Member subscriptions	30	-
Interest income	3,214	2,855
Donations	67	1,000
Grants	120,480	144,102
Recoveries	380	-
<b>Total income</b>	<b>124,421</b>	<b>152,082</b>
<b>Less: Expenses</b>		
Auditors remuneration	1,650	1,650
Bank charges	266	280
Cleaning	28	331
Computer expenses	259	468
Electricity and water	-	16
Hire	539	-
Insurance	1,959	2,421
Leave pay	42	443
Newspapers	3	35
Other employee costs	3,945	3,525
Permits, licenses and fees	783	55
Postage	321	148
Repairs and maintenance	98	95
Salaries	88,714	99,083
Security costs	124	115
Staff amenities	9	364
Subscriptions	726	768
Sundry expenses	870	1,430
Superannuation contributions	7,227	7,609
Telephone and fax	1,176	1,333
Travel - domestic	-	350
Workers compensation insurance	960	755
Accounting fees	6,954	8,629
Conference fees	(171)	4,925
Equipment < \$5,000	-	597
Rent	3,347	4,091
Outreach expenses	2,296	6,324
Printing and stationary	1,279	2,117
<b>Total Expenses</b>	<b>(123,404)</b>	<b>(147,957)</b>
<b>Profit</b>	<b>1,017</b>	<b>4,125</b>