

Proposal for a Victorian Climate Charter

CONTENTS

1.	Background	2
2.	Contents of the Climate Charter	3
2.1	Climate principles	4
2.2	Emission reduction target	4
2.3	Interpretation	5
2.4	Decision-making – the climate test	5
2.5	Policy and legislative development	8
2.6	Climate Authority	9
2.7	Compliance	9
3.	Implementation	11
4.	We want your views and support	12
5.	About the Environment Defenders Office (Victoria) Ltd	12

1. BACKGROUND

The current climate science indicates that massive emission reductions are needed to avoid dangerous climate change. Current indications are that emissions must peak and begin to fall within the next five years. If Australia is to achieve this, as a society we must shift our thinking as to what are desirable and undesirable activities.

The Victorian State of the Environment Report sets out the current and projected impacts of climate change on Victoria such as dramatically decreased rainfall, increased bushfires and a massive increase of drought. It notes that:

The science is established and, through the IPCC, agreed across the world that climate change is unequivocal. To avoid dangerous impacts, temperature increases must be limited through an urgent reduction in global greenhouse gas emissions.¹

This concept is well known and understood throughout Victoria however it is not reflected in Government actions.

For example the Victorian Government continues to make decisions now which will have the effect of increasing our emissions for decades. Examples are the extension of the Urban Growth Boundary and associated transport projects which will increase transport emissions, encourage further urban sprawl, and reduce farmland close to population centres; the continued logging and clearing of native forest and native vegetation which releases emissions and reduces vital carbon sinks; the decision to allow the Hazelwood power station to continue operating until 2031 despite it being the highest emitting power station in any developed country. This demonstrates that the Government is not properly considering climate change in its decision-making. In addition, the Government is only paying lip service to the level of change needed if we are to adapt to the predicted impacts of climate change.

Right now there is an excellent opportunity for Victoria to lead the way within Australia and the world by establishing a robust framework to guide our path to a low carbon future.

The Climate Charter proposed here sets up a legal framework to ensure Victoria is proactively addressing climate change. The framework will ensure Victoria will significantly reduce its emissions, and make its best effort to adapt to the unavoidable climate impacts we are already starting to feel.

The Charter is inspired by the Victorian Human Rights Charter which was landmark Victorian legislation. It also draws on some of the major climate change legislative frameworks around the world².

As noted in the State of the Environment Report:

Now is the time for measured and strong action, not further aspirational policy commitments. Actions to date have simply not been good enough. Australia and Victoria have both the opportunity and the capability to lead this change.³

¹ Victorian State of the Environment Report 2009 page 217

² For example, the UK *Climate Change Act 2008*; the South Australian *Climate Change and Greenhouse Emissions Reduction Act 2007*; the *Climate Protection Bill 2008* (Fed); *American Clean Energy and Security Bill 2009*.

³ Victorian State of the Environment Report 2009 pg 221

2. CONTENTS OF THE CLIMATE CHARTER

The concept for the Climate Charter is based on the Victorian Human Rights Charter⁴. The Climate Charter is overarching legislation that requires all other Victorian legislation to be interpreted and implemented in a way that is consistent with the Charter. It implements a structure for decision-making that properly factors in climate mitigation and adaptation. It also requires the Government to proactively develop solutions that will lead Victoria to a low carbon future.

The Commissioner for Environmental Sustainability in the Victorian State of the Environment Report recommends that the Government implement a 'climate test':

The Victorian Government should build a climate change "test" into all major policy, infrastructure and expenditure decisions, including:

- Development of appropriate assessment tools, methodologies and processes, including consideration of the essential components of strategic environmental assessment methodologies.
- Assessment of climate mitigation and adaptation impacts of budget and Cabinet decisions.
- Assessment of the impact of current policies and programs on Victoria's emissions profile and reduction target.⁵

Environment Victoria has also called for the introduction of a climate test in its People's Climate White Paper.

In response, the Environment Defenders Office has developed a climate test that is applied to government decision-making to ensure Victoria is not making bad decisions now whose legacy will last for centuries. Importantly, the Charter gives the test legal force through implementation in legislation. This is in contrast to the model in the State of the Environment report which indicates a climate test should be an aspirational policy. As law making is the highest expression of policy intent in our democratic system, a matter of such overriding public importance and urgency as climate change requires legislative action.

A key feature of the Charter is the recognition that if we are to have any hope of reducing emissions to avoid dangerous climate change and adapt to the changes that are already locked in, decisive rapid action is required by Government and the whole community. The Charter therefore facilitates rapid action and response wherever possible.

There are seven key elements to the Charter:

1. Charter principles which set out how climate change is to be addressed in Victoria.
2. Binding emission reduction targets of 50% by 2020 and 80% by 2050.
3. A requirement that Victorian legislation and policy must be interpreted in a manner that is consistent with the principles of the Climate Charter where possible.
4. A 'climate test' which must be implemented by all public authorities in major government financial decisions and administrative decision-making.
5. A requirement to develop a climate strategy to enable Victoria to meet its targets.
6. The establishment of the Climate Authority to advise, oversee and report on climate action.
7. Compliance and enforcement mechanisms to ensure the Act is implemented and applied.

Each of these is set out in detail below.

⁴ *Charter of Human Rights and Responsibilities Act 2006*

⁵ Victorian State of the Environment Report 2009 pg 215

2.1 Climate principles

The Charter contains Climate Principles which set out how the Charter must be implemented and how decisions are to be made in accordance with the Charter. The principles are not discretionary objects, they are mandatory requirements that must be complied with in implementing the Act.

Provision

In implementing the Charter and making decisions in accordance with the climate test, the following Climate Principles must be complied with:

- Victoria will take action to reduce the State's emissions in accordance with the legislated targets;
- Victoria will take action to assist the State to adapt to the likely effects of climate change;
- In meeting its 2020 and 2050 targets, no more than 20% of the emissions reduction required to meet the target can be achieved through carbon offsets;⁶
- Only carbon offset activities conducted within Victoria can be used to meet the targets;
- If there are threats of serious or irreversible damage to the environment, lack of full scientific certainty regarding climate change should not be used as a reason for postponing preventative measures;
- In implementing this Act, the Government must have regard to the need for expeditious action to reduce emissions and adapt to the unavoidable effects of climate change for the benefit of the Victorian community; and the need for increased cost certainty and increased risk certainty in the delivery of climate change mitigation and adaptation measures.⁷

2.2 Emission reduction target

Provision

Victoria is to reduce emissions by 50% by 2020 and 80% by 2050. It is the duty of the Premier to ensure that these targets are met.⁸

The target may be altered by regulation if there have been significant developments in scientific knowledge about climate change that justify doing so. Before making regulations that alter the target the Premier must obtain and take into account advice from the Climate Authority.

⁶ Carbon offsets means any carbon offset recognised under the National Carbon Offset Standard (currently draft) produced by the Department of Climate Change. <<http://www.climatechange.gov.au/carbonoffsetting/ncos/ncos.html>>

⁷ This wording is based on wording in section 262 of the Major Transport Projects Facilitation Bill (Vic) to ensure appropriate weight is given to the Government's action priorities.

⁸ Although the Government, in the Green Paper, expresses its preference not to implement a Victorian target, we believe a Victorian target is justified regardless of whether there is a CPRS or not. The proposed national target under the CPRS (5-25% of 2000 levels by 2020) is not high enough to prevent dangerous climate change. There is little point adopting a target that will not achieve the emission reductions necessary to avoid dangerous climate change. The targets proposed for the Charter are based on the current scientific analysis of what is needed keep emissions at 350ppm to avoid more than 2 degrees warming. If however the Government decides not to have a Victorian target, the Climate Charter could adopt the Federal targets or could be enacted without targets. The EDO has identified alternate wording for the climate test and the climate strategy in particular that will allow the Climate Charter to operate without targets, albeit with lower emission reduction benefits.

2.3 Interpretation

Provision

So far as it is possible to do so consistently with their purpose, all Victorian legislation and policy must be interpreted in a way that is consistent with the principles in the Climate Charter.⁹

The Supreme Court has jurisdiction to determine whether legislation has been interpreted consistently with the Climate principles if the question arises in a proceeding before a court or tribunal.¹⁰

2.4 Decision-making – the climate test

The Climate Charter requires government decision-makers to act in a way which will reduce Victoria's emissions and will prepare Victoria for the likely impacts of climate change. This requirement is called the climate test¹¹. The climate test applies to all government financial decisions over \$150,000¹² (meaning government contracts, government grants, and government procurement decisions) and all government administrative decisions¹³.

The Climate Charter incorporates a number of features which will assist decision-makers to implement the climate test in the most efficient and effective way. The Climate Authority has a particular role in this. These features are set out in the Climate Authority section and the implementation section below.

The climate test consists of two elements – a climate mitigation element and a climate adaptation element.

Although this test is limited to public authorities,¹⁴ the Charter allows any entity (for example a private company) to ask the Minister to declare that the entity is subject to the climate test.¹⁵ This will allow corporations who are committed to taking positive action on climate change to publicly demonstrate their commitment and is aimed at 'raising the bar' among the corporate sector.

Climate mitigation test

Two options have been included here to show variations that the Government could implement as part of a climate mitigation test. Option 1 has the highest standard and is consistent with the standard in the Victorian Human Rights Charter. It would achieve the most rapid emission reductions, however it would be the most difficult to implement at a practical level. Two variations have been included as part of option 2. Option 2a would be harder to implement than option 2b but has the advantage of implementing a higher standard which would result in more rapid emission reduction.

The test is directly linked to Victoria's emission targets and has the objective of assisting Victoria to do everything possible to meet those targets.

⁹ This is based on the obligations in the Human Rights Charter s 32.

¹⁰ This is based on the obligations in the Human Rights Charter s 33.

¹¹ The origins for this test appear in the Victorian State of the Environment Report 2009 (see pg 215) and Environment Victoria's *People's Climate White Paper* (see page 26 for example). The EDO's Climate Charter elaborates on these recommendations by fleshing out the legal requirements for a climate test.

¹² The \$150,000 threshold has been selected to coincide with the threshold for various Victorian Government procurement policies.

¹³ An administrative decision is a decision made by a public authority that can be challenged for legal error in the Supreme Court.

¹⁴ 'Public authority' under this Charter has the same meaning as s 4 of the Charter of Human Rights and Responsibilities but does not include the Victorian Police or Parliamentary Committees.

¹⁵ A similar provision is found in s 40D of the *Human Rights Act 2004* (ACT).

Provision

Option 1

It is unlawful for a public authority to make a decision that will have the effect of reducing Victoria's ability to achieve the 2020 and 2050 emission targets.

Option 2a

In making an administrative decision or financial decision, a public authority must assess whether that decision will enhance or reduce Victoria's ability to achieve the 2020 and 2050 emission targets.

If the effect of making the decision will be to reduce Victoria's ability to meet the targets, the subject of the decision must be modified until it does not reduce Victoria's ability to achieve the 2020 and 2050 targets, or the request must be refused.

Option 2b

In making an administrative decision or financial decision, a public authority must assess whether that decision will enhance or reduce Victoria's ability to achieve the 2020 and 2050 emission targets.

If the effect of making the decision will be to reduce Victoria's ability to meet the targets, the decision-maker must do everything within its power¹⁶ to reduce the emissions that will result from the decision, or if appropriate, must require the person requesting the decision to do everything within its power to reduce the emissions that will result from the decision.

Option 2b allows the Government to go ahead with activities that will cause an increase in emissions and therefore will reduce Victoria's ability to meet its targets, provided that it has made significant efforts to reduce the emissions from the activity. Significant projects that cause an increase in emissions can therefore still go ahead if there are no lower emission alternatives. However the Government will have to factor these increases into its overall emission reduction strategy to ensure that the Victorian targets can still be met by 2020 and 2050.

Examples:

(Using option 2a)

A planning decision to approve the building of a housing development will have to consider all factors that may increase carbon emissions such as the energy efficiency of the buildings, clearing of native vegetation which results in release of emissions and connection to public transport which will minimise transport emissions. If the assessment concludes that the housing development will reduce Victoria's ability to meet the emissions targets it must be redesigned so that it does not reduce that ability, or be refused by the decision-maker.

(Using option 2b)

A government decision to purchase fleet cars must consider whether the car fleet will reduce Victoria's ability to meet its emissions targets or not. If it does, the decision-maker must consider public transport options and for the remaining situations in which cars are required, must secure cars which have the lowest possible emissions that are available in Victoria.

¹⁶ 'Do everything within its power' in this context means the decision-maker or proponent must take every step it can to reduce emissions. It does not allow the person to avoid taking steps to reduce emissions merely because they are inconvenient or will cost more than not taking those steps.

Examples (cont.):

(Using option 2b)

A plan which sets out the logging schedule for the next 5 years must consider the emissions impacts of the logging activity. As logging of native forests increases emissions and reduces biosequestration the public authority must do everything within its power to reduce those emissions. That may require the authority to not approve the logging of the native forest.

Climate adaptation test

The aim of the adaptation test is to ensure that decisions made now will not impede our ability to adapt to the most likely effects of climate change in Victoria. The ability of Victoria to adapt to climate change must be assessed against three key sectors - the ability of the State of Victoria as a whole to adapt (e.g. the economy, the government, government infrastructure), the ability of the people of Victoria to adapt (e.g. in relation to rising energy costs, health impacts, ability to source food) and the ability of Victoria's environment to adapt (e.g. threatened species, ecosystems).

There are a large number of projects and activities that are going ahead at the moment which during their life will suffer consequences from climate change impacts. The climate adaptation test will only require the decision-maker to consider impacts that are relevant to that action or activity and only for the expected life of the activity. For example if a development is only expected to have a life of 30 years the decision-maker will need to consider the climate impacts at 2020 but not at 2050.

Provision**Option 1**

In making an administrative decision or procurement decision, a public authority must assess whether the action which is the subject of the decision will increase or reduce the ability of the State, the Victorian people or Victoria's environment, to adapt to the 2020 and 2050 climate change impacts¹⁷ that are relevant to that action.

If the action will reduce Victoria's ability to adapt to the most likely climate change impacts in 2020 and 2050 that are relevant to that decision, the public authority must refuse to approve that activity or action.

It will not be feasible or desirable for every decision-maker to make their own determination of the likely climate impacts for Victoria, on which to base their assessment. Therefore the Climate Authority will assess the latest and most robust climate science relevant to Victoria and make a determination each year on what are the most likely climate impacts for Victoria. Climate adaptation test assessments will use this information to inform their assessments, negating the need for decision-makers to determine themselves what the most likely predictions and impacts are. Only this information will be able to be used to determine relevant climate impacts.

Despite the determination of the Climate Authority on the likely climate impacts, it will not be possible for the Climate Authority or the decision-maker to predict every possible adaptation consequence. Therefore rather than imposing an absolute standard, the decision-maker will be required to do the best assessment they can with the information available to them, and respond based on an approach consistent with the precautionary principle (which is outlined in the Principles).

¹⁷ To simplify this assessment for decision-makers, it is the role of the Climate Authority to determine what the most likely climate impacts are for Victoria in 2020 and 2050 and release a report each year detailing those impacts. A decision-maker applying the climate adaptation test must use that information to determine the impacts.

Examples:

A permit decision to build a housing estate on the coast will have to consider predicted sea level rise, whether it will clear native vegetation which will put added stress on threatened species, whether it is energy efficient & self powered to cope with rises in electricity prices, whether it is water efficient and recycles water to cope with water scarcity. If it will reduce the ability of Victorians or the Victorian environment to cope with predicted impacts of climate change the permit must be refused.

A government decision to purchase fleet cars must consider whether the cars are fuel efficient or non-oil powered to cope with rise in oil prices that are predicted during the life of the fleet. If not a different car must be chosen.

A plan which sets out the logging schedule for the next 5 years must consider the added stress to ecosystems which will already be affected by climate change. If the logging will reduce the ecosystem's ability to adapt to climate change, logging must not go ahead.

2.5 Policy and legislative development

Although the climate tests above will ensure that poor decisions that have a lasting climate legacy are not made, the climate tests alone will not be enough to ensure Victoria meets its emission reduction targets. In order to achieve the level of emission reductions required to avoid dangerous climate change the Victorian Government will need to look for opportunities and take proactive steps for large-scale emission reduction. This will be done through the Climate Strategy, the Climate Report and a legislative review.

Although all Victorian legislation and policy must be interpreted consistently with the Climate Principles where possible, there will be legislation that cannot be interpreted in this way due to conflicts between provisions. The legislative review will ensure that Victoria's legislative framework is assisting the Government to achieve the necessary emissions reductions rather than working against it.

Provisions

Climate strategy

Within 1 year of the commencement of the Charter, the Environment Minister must develop a Climate Strategy which sets out how the Victorian targets are to be achieved. The Strategy must be tabled in Parliament.

The Strategy will review opportunities for emissions reduction and set out a program and costing to achieve those reductions. It will prioritise activities that will achieve the highest emission reductions at the least cost and will provide a plan to work towards more difficult actions.

In particular, the Strategy must set out the programs and actions that the Government will embark on in the next year. The Strategy must be updated each year using an adaptive management approach to focus on the programs and actions for each coming year.

Climate report

Each year the Environment Minister must table in Parliament a report on the progress in the previous year in achieving the actions set out in the Strategy.

Review of legislation

The Government must review all Victorian legislation within 5 years for consistency with the Climate Principles of the Charter.

2.6 Climate Authority

The Charter sets up an independent statutory authority that will have a number of important roles in implementing the Climate Charter and ensuring that Victoria meets its emissions targets.¹⁸

The overarching mission of the Climate Authority will be to assist the Government to meet its emissions reduction targets and adaptation goals as quickly and easily as possible. Therefore the Authority will be required to proactively identify and develop guidance that will help decision-makers and the Environment Minister to achieve these goals.

The Authority will not be subject to direction from the Government or a Minister but will perform its functions in accordance with the provisions that set it up in the Charter. This will ensure that its only focus will be to assist Victoria to meet its emission reduction targets without political interference. The Authority will be staffed with permanent employees and will not have a board or committee structure. It will be staffed by people with appropriate expertise to provide guidance and recommendations on climate science and carbon accounting.

The Climate Authority will:

- assess the latest and most robust climate science relevant to Victoria and make a determination each year on what are the most likely climate impacts for Victoria. This will form the standard which the climate adaptation test will be based on. Climate adaptation test assessments will use this information to inform their assessments, negating the need for decision-makers to determine themselves what the most likely predictions and impacts are. Only this information can be used to determine relevant climate impacts.
- produce guidance documents as necessary to assist decision-makers to make informed decisions.
- review the Government's climate strategy before the document is tabled in Parliament and provide comment to the Environment Minister.
- be empowered to table reports in Parliament on government decisions if it does not believe that the decision properly implemented the requirements of the Act, rather than having a full review function (see further under compliance below).
- provide advice to the Environment Minister on an area relevant to their function on request by the Minister.

2.7 Compliance

The Charter is not just an aspirational framework; it is a set of duties and obligations that must be carried out to enable Victoria to play its part in the required emission reductions and to prepare it for the unavoidable effects of climate change. The Charter therefore contains mechanisms to ensure key actions are complied with.

As noted previously, the key aim of the Charter is to enable the required climate actions to happen as quickly and effectively as possible. Therefore the compliance and oversight mechanisms are aimed at providing incentive to comply with the Charter and oversight to ensure it is being implemented properly, while targeting that compliance and oversight to key areas of the processes.

¹⁸ An alternative to setting up a new statutory body is to give this role to the Commissioner for Environmental Sustainability. This would require amendments to the *Commissioner for Environmental Sustainability Act 2003* to provide specific functions and obligations on the Commissioner. It would also require an expansion of the Commissioner's office to include officers experienced in climate science and climate policy.

The oversight mechanisms will not provide opportunities for review or enforcement of every step in the process, however they will ensure that the Government does not make decisions which will lead to significant deviations from the objects of the Charter.

Breach of duty

The 2020 and 2050 targets are legally binding and the Premier is under a duty on behalf of the Government to ensure they are met.

Review of decisions – judicial review

Judicial review will be available for instances where there has been a legal error in the implementation of the Charter including decision-making under the climate test. As every person in Victoria will be directly affected by climate change, the Climate Charter includes extended standing provisions allowing a broad range of people to bring an action against the Government. These are similar to the extended standing provisions in s 487 of the *Environment Protection Biodiversity Conservation Act 1999*. The extended standing provisions are not intended to narrow any existing rights a person may have to seek judicial review.

Provision

A person or organisation may seek judicial review of a decision made under the Charter if the person is an Australian citizen or resident of Australia or was incorporated or established in Australia, and at any time in the 2 years immediately before the decision the person has engaged in activities or research in Victoria for the reduction of carbon emissions or adaptation to climate change.

Review of decisions – merits review

As noted in the Climate Authority's functions, full merits review of decisions made under the climate test will not specifically be provided under the Charter. The main reason for this is the need for rapid action to address climate change. In addition, due to the nature of climate change it will not always be possible to precisely predict and assess impacts and therefore there could be a range of views on what a particular outcome should be. Full merits review may slow down the action necessary to the achieve targets without adding significant value to the process. We acknowledge that in some cases, not providing merits review may lead to less than optimal decisions remaining in force, however on balance the need for rapid action and the availability of other oversight and compliance mechanisms that will prevent significant deviations from the objects of the Charter justifies this in our view.

Audit of decisions and implementation by the Climate Authority

Although merits review is not provided, it is important that the Government be accountable for the way it interprets and applies the Principles of the Act and the climate test. The Climate Authority will therefore be empowered to table a report in Parliament critiquing a government decision or government action if it does not believe that the decision or action properly complied with the requirements of the Act. This will include specific decisions made under the climate test.¹⁹

¹⁹ Note that there are many different models that could be applied to provide oversight of the implementation of the Charter including an Ombudsman model, full merits review to VCAT or the Climate Authority, review of specific aspects of decisions such as the science and climate factors used to estimate impacts and emissions etc.

3. IMPLEMENTATION

Although some of the requirements in the Charter are significant, they are no less than what is required to meet the climate challenge. There are a number of actions that will be required to implement the Charter however they can be done rapidly if the political will exists.

Rapid action

As noted above, a key feature of the Charter is the recognition that if we are to have any hope of reducing emissions to avoid dangerous climate change and adapt to the changes that are already locked in, decisive rapid action is required by Government and the whole community.

The Charter attempts to facilitate rapid action and response wherever possible, and it should be implemented in the same spirit. Therefore Government should provide appropriate resources to ensure that guidelines are developed rapidly, training is rolled out quickly and effectively, processes are not slowed down in bureaucracy, deadlines are met, and decision-makers are supported to make the best decision in the least amount of time.

Training of Government Staff

When the Human Rights Charter was introduced in Victoria, Government decision-makers underwent an extensive training program to ensure they were able to implement the Act properly. The same level of training program is required for the Climate Charter.

Development of guidance documents for decision-makers

To assist decision-makers assess the impact of an activity on climate emissions and adaptation, the Australian Government National Carbon Accounting System (NCAS)²⁰ will be nominated in the legislation as the standard that will be used to assign emissions to each activity.

The Climate Authority is responsible for producing guidance documents to assist decision-makers to properly implement the Climate Charter. For example the Authority can produce a quick reference guide which sets out standard emission values for the most commonly made decisions that are relevant to Victoria based on NCAS accounting (for example, emission values for construction of a four bedroom house, for clearing of the main native vegetation species in Victoria, for road projects per kilometre, for waste disposal facilities etc).

There will be certain types of government decisions that will have no or negligible climate mitigation or adaptation impacts and which therefore will routinely be assessed as not requiring modification. The Authority may produce a guidance document which sets out those classes of decisions which are unlikely to impact mitigation or adaptation and can be made with minimal climate assessment (essentially to ensure that the decision is not different to its class in a way that would cause it to have mitigation or adaptation consequences). This does not exempt any decision from the climate test, however it will provide a guide to decision-makers of the types of decisions that are unlikely to have climate impacts.

²⁰ National Carbon Accounting System <<http://www.climatechange.gov.au/ncas/>>

4. WE WANT YOUR VIEWS AND SUPPORT

Do you support Victoria adopting a Charter like the one proposed? **If you support the concept** of the Charter please let us know so that we can continue to advance the Charter with the Victorian Government.

Do you have suggestions or comments? We would like your feedback so that we can continue to develop the Charter.

To support the concept of this proposal or to make comments, please contact:

Nicola Rivers, Law Reform and Policy Director, Environment Defenders Office (Victoria) Ltd

T: 03 8341 3100

E: nicola.rivers@edo.org.au

You can also make public comments on this proposal on our environmental law online website

www.envirolaw.org.au/opinion/climate_charter

5. ABOUT THE ENVIRONMENT DEFENDERS OFFICE (VICTORIA) LTD

The Environment Defenders Office (Victoria) Ltd ('EDO') is a Community Legal Centre specialising in public interest environmental law. Our mission is to support, empower and advocate for individuals and groups in Victoria who want to use the law and legal system to protect the environment. We are dedicated to a community that values and protects a healthy environment and support this vision through the provision of information, advocacy and advice. In addition to Victorian-based activities, the EDO is a member of a national network of EDOs working to protect Australia's environment through environmental law.

www.edo.org.au/edovic

www.envirolaw.org.au

Publication date: October 2009

Legal Services **BOARD**

*EDO's law reform and policy work is generously supported by the **Legal Services Board's** Grants Program.*