

ANNUAL REPORT 2007 - 2008



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ABN 74 052 124 375

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Environment Defenders Office (EDO) at a glance

EDO Board of Directors 2007-2008

Stephen May (Chair)
Susie Chippendale (Vice-Chair)
Richard Hilton (Treasurer)
Henry Jackson (Vice-Chair)
Miriam McDonald (Secretary)

EDO staff 2007-2008

Brendan Sydes, Principal Solicitor
Mandy Johnson, Administration and Projects Coordinator
Annette Jones, Solicitor
Elizabeth McKinnon, Solicitor
Verity McLucas, Project Worker
Emily Boldiston, casual administrative support
John Hannagan, casual solicitor

DLA Phillips Fox secondee solicitors:

Leigh Hogarty-Langston (June 2007 – December 2007)
Alice Skipper (January 2008 –)

Financial summary 2006/07 to 2007/08

	2006/07	2007/08
	\$	\$
INCOME	313,044	359,882
EXPENDITURE	269,352	374,996
SURPLUS/(DEFICIT)	43,692	(15,115)
TOTAL ASSETS	186,601	233,736
TOTAL LIABILITIES	103,077	164,536
NET ASSETS/TOTAL EQUITY	83,524	69,200

Our people

- EDO has five permanent staff and one secondee solicitor
- EDO was assisted by 29 regular in-house volunteers in 2007-2008
- In 2007-2008, EDO received pro bono support from 13 organisations and 27 individual professionals

EDO services

- In 2007-08 EDO provided legal representation in 66 public interest matters. These matters involved representing clients before a variety of courts, tribunals and panels as well as providing legal assistance and support in non-litigious matters
- In addition to providing legal representation in public interest cases, we provide telephone information and advice to the Victorian community during business hours 5 days per week
- In 2007-08 EDO ran 41 community education projects and 25 policy and law reform projects
- An average of 445 publications are downloaded each month from the EDO Victoria website, assisting the public with a range of areas of environment and the law at no charge. This is an increase of 75/month over the 2006-07 average

EDO mission, vision and values

Mission

To defend and enhance our natural and cultural environment by:

- providing high quality legal advice and representation to the community.
- improving the understanding of environmental law and promote its use by the community.
- promoting and encouraging new and improved environmental laws and policies, defending existing environmental laws and working to improve their implementation.

Vision

A legal system that protects the environment, promotes its enhancement and encourages public participation in decision making on environmental issues.

Values

- A commitment to using the legal system to:
 - protect and enhance the environment.
 - defend the right of all people to a healthy environment.
 - support and enhance community action on environmental issues and public participation in environmental decision making.
- Professionalism, independence and integrity.
- Equitable access to our services and the participation and empowerment of our clients.
- Innovation, creativity and accountability in the delivery of services and programs and a commitment to constant improvement in everything we do.
- Environmental sustainability in the conduct of our activities.
- A supportive and collaborative work environment that values the contributions of both paid and unpaid staff.

What we do

Inform & advise about environmental law

The EDO office is open from 9:00 am to 5:30 pm, Monday to Friday, offering a telephone advisory service.

The EDO website offers free information and resources on environmental law.

Community education

We conduct conferences, workshops, seminars and presentations about environmental law.

Legal representation

The EDO provides advice and legal representation and conducts public interest environmental litigation on behalf of individuals, environment groups and other community organisations.

Policy & law reform

The EDO engages in policy and law reform activities such as participating in committees and inquiries, conducting policy analysis and preparing submissions. We work closely with environment groups working on environmental issues and contribute legal and policy expertise to their campaigns.

Publications

The EDO produces a range of publications designed to make environmental law accessible to the community. These range from simple, easy to understand fact sheets through to comprehensive law guides. See page 13 for details.

Report from the Chair and Principal Solicitor

The past year has been a busy and successful one for the EDO.

In last year's annual report, we reported that the continued growth in our revenue and staff numbers meant that we were better placed than ever before to provide environmental law services to the Victorian community.

We are pleased to report that during 2007-2008 we have been able to realise this potential. Our lawyers have been able to provide legal representation in a number of important and sometimes lengthy cases that would have previously been beyond our capacity. We have been able to contribute our law reform and policy expertise in a number of areas, working closely with environment groups working on important environmental issues such as climate change and biodiversity loss.

Our educational activities have also continued to expand. We now offer a range of workshops to community groups and individuals working on conservation issues and we are particularly pleased to be able to deliver a large number of these in rural and regional areas. We also run regular seminars on environmental law topics. Our free monthly environmental law seminar series has benefited from a broad range of expert speakers discussing topics such as contaminated land and the new legislative regime covering aboriginal cultural heritage in Victoria.

The Board and staff have also continued to work hard to implement our longer term strategy to increase and diversify our funding sources. We are pleased to report that this strategy has enjoyed considerable success, with several successful project grant and funding applications ensuring that the organisation is in a very strong position for the coming year.

Finances

As the financial statements included with this report demonstrate, the EDO continues to be in a very strong financial position. After the substantial surplus of the 2006-2007 year, the Board agreed to a budget based on small deficit in 2007-2008, a strategy based on using some of the surplus accumulated in past years to invest in the continued growth of the organisation.

We are pleased to report that not only has this strategy been successful, but also that the deficit of \$15,115 for the year was less than we had budgeted. The audited financial statements show a very healthy balance sheet with net assets of \$69,200.

The Board

One component of the amendment to the constitution approved by members at last year's Annual General Meeting was the move to a smaller Board. This has proved a success, with our five board members meeting regularly and continuing to effectively steer the organisation. The Board and staff have been working hard on developing a strategic plan to guide the organisation over the course of the next three years.

Late 2007 saw the departure of long-standing Board member Beverly Kennedy. Bev's environmental law expertise and long standing commitment to the EDO (she joined the Board in April 1994) were very valuable and we thank her for her contribution.

Our staff team

The EDO continues to benefit from a strong and stable team of committed staff. Low staff turnover is a testament to our continuing efforts to ensure that the organisation has the resources to fairly remunerate staff, the pleasant work environment in our premises at the Green Building and the rewarding and challenging nature of our work. Recruiting suitable staff to fill new positions during the course of the next year will be a high priority.

May 2007 saw Annette Jones leave the EDO to take up a position with the environmental law team in a prominent Melbourne law firm. We thank Annette for her dedication and hard work over almost three years.

Voluntary and pro bono support

One of our key strengths is our ability to attract and utilise the support of volunteers and pro bono contributors. We thank everyone who has so generously provided their time during the course of the last financial year.

We are pleased to report that we continue to have a strong support of DLA Phillips Fox in the form of a full time secondee lawyer as well as other pro bono support. During the course of this year we benefited greatly from the support of two lawyers from the firm's planning and environmental law team, Leigh Hogarty-Langston and Alice Skipper. The support of DLA Phillips Fox for the EDO and other community legal centres has distinguished them as a leader in the area of community law partnerships.

Law student volunteers play a very significant role at the EDO. During the course of the past year we have refined and consolidated our volunteer program. We regularly have two students per day volunteering with us during the university semester period.

The past year has also seen us successfully implement our winter and summer break internship program. Our interns have made a very important contribution to our work over the past year. The program has proved very popular with almost 60 law students applying to work with us over the summer of 2007-2008.

Conclusion

The year ahead will see continued growth of the EDO with the success of our application for a major grant to the Public Purpose Fund of the Legal Services Board. This grant will allow us to employ at least two more staff over the next three years, significantly increasing our capacity for law reform and policy work. Our growth has created a need for more room. We have expanded into the total office space available and taken over the space previously occupied by Waterkeepers Australia.

Our strategic planning process has identified a need to further diversify our revenue streams and in particular, a need to generate untied funds to drive growth in critical litigation work. To this end, a key strategy will be to increase awareness of the EDO and the importance of our work. Our goal is to increase financial support from the community in the form of donations.

An effective legal framework to protect the environment has never been more important. The Board and staff of the EDO are committed to working towards a legal system that protects the environment, promotes its enhancement and encourages public participation in decision making on environmental issues.

We thank Board members, staff, volunteers and the many EDO supporters for their contribution to another successful year in 2007-2008.

Stephen May
Chair

Brendan Sydes
Principal Solicitor

EDO Board members 2007 - 2008

Stephen May (Chair) is Executive Director Epworth Medical Foundation, the fundraising arm of Epworth Healthcare, and a highly successful senior marketing and development professional with extensive experience in the not-for-profit and private sectors. Stephen has a “hands-on” interest in environmental issues and has, among other things, worked with a local Landcare group.

Miriam McDonald (Honorary Secretary) is a Consultant at Maddocks, practising in commercial law. She has particular interests in corporate governance, regulatory compliance, trade practices, franchising, arts and cultural institutions and the food industry. Prior to her legal career, Miriam worked in community services in the public sector, where her experience included direct client service delivery, program development and corporate services. She has been a Director since 1994.

Richard Hilton (Honorary Treasurer) is a Senior Manager in the Assurance & Advisory Business Services group at Ernst & Young Melbourne, specialising in external audit and statutory reporting, process analysis and design, due diligence and risk management. His key industry experience covers the energy, utilities, oil and gas sectors. Richard joined the Board in September 2007.

Susie Chippendale is Manager - Domestic Communications at Australian Red Cross, with a background in journalism, communications and fundraising in a range of not-for-profit organisations including several years in the environment sector at Birds Australia (Royal Australasian Ornithologists Union).

Henry Jackson is a barrister practicing in all aspects of local government, planning, environmental and water law. Prior to coming to the Bar, Henry was a Senior Associate at both Deacons and Russell Kennedy, before which he was employed in an in-house role with the Victorian Environment Protection Authority. Henry joined the Board in September 2007.

Beverly Kennedy is a partner and head of the Melbourne Planning and Environment practice at Corrs Chambers Westgarth. Beverly resigned from the Board in September 2007, having been a Director at the EDO since 1994. Her areas of professional practice and special interest include planning and heritage, environmental impact assessment, and legislation and policy review.

Bradley Tutt is a tax consultant at Ernst & Young. Bradley retired from the Board in October having been Honorary Treasurer of the EDO since mid-2004.

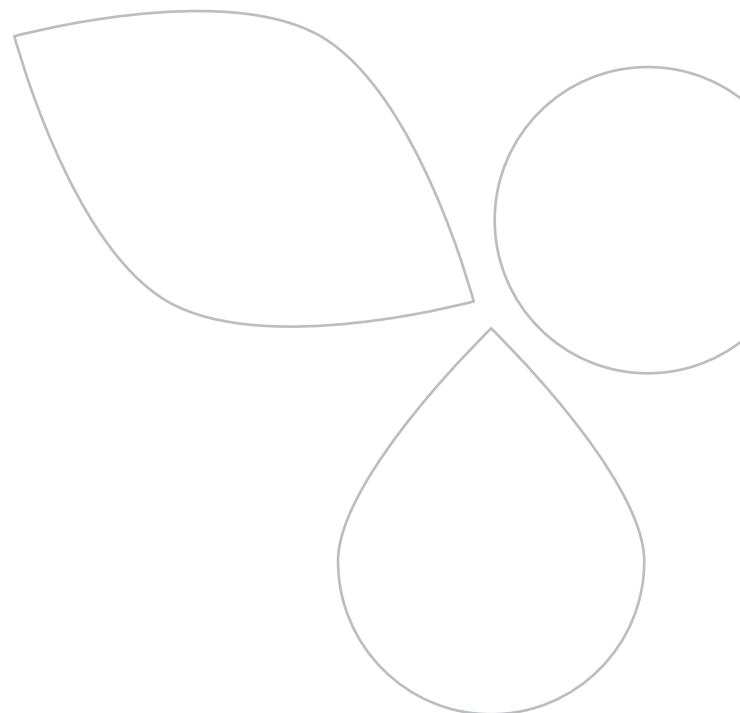
Board attendance 2007-2008

Susan Chippendale (Deputy Chairperson)	8
Richard Hilton (Honorary Treasurer from October 2007)	8
Henry Jackson (Deputy Chairperson from September 2007)	7
Beverly Kennedy (Non-Executive Director to September 2007)	2
Stephen May (Chairperson)	12
Miriam McDonald (Honorary Secretary)	10
Bradley Tutt (Honorary Treasurer to October 2007)	0

Our work – an overview

The EDO is an active and innovative community legal centre. Our activities include:

- telephone information and advice covering all areas of environmental law during office hours five days per week. Initial legal advice is provided predominantly by telephone, reflecting the fact that approximately half of our enquiries are from rural and regional areas or areas not readily accessible to our office
- legal representation for community groups and environment organisations in litigious and non-litigious environmental matters including acting as advocates in VCAT hearings
- providing an information and referral service including facilitating access to pro bono legal assistance via the Public Interest Law Clearing House and our own contacts. Providing community groups with advice and support in obtaining support from and working with pro bono legal representation is an increasingly important role
- publication of a range of printed materials including our book “Introduction to Victoria’s Key Environmental Laws”, “self-help” kits and a range of fact sheets and other printed materials
- publishing a regular email bulletin
- providing access to legal information via our website
- volunteer programs:
 - o at least one law student volunteer per day during university semester periods
 - o law student internship programs over the mid-year and summer break
- contributing to and preparing policy and law reform submissions
- running regular community legal education workshops
- presenting lectures and presentations to students and others
- holding free seminars for the public about topical environmental law issues
- participating and contributing to the activities of the Victorian Federation of Community Legal Centres and the Australian Network of Environmental Defenders Offices



Legal representation in the public interest

In the past 18 months, we have represented community group and conservation organisations in a range of cases. In doing so, we draw on our network of experts and pro bono barristers and also undertake appearance work in VCAT.

There are many instances of individuals who are unable to afford legal representation in environmental law disputes. However, our limited resources have meant that we have been unable to offer legal representation other than in cases where a significant public interest element can be identified. Generally, our assistance to individual litigants has been limited to initial advice and the provision of printed information in the form of our Objectors Kit, Appeals Kit and Enforcement Kit.

Decisions to offer legal representation in public interest cases are based on our casework guidelines and take into account the means of the applicant, the merits of the case, the public interest issues involved and whether we have the resources to be able to assist. In providing legal services with respect to litigious matters, we are also subject to constraints imposed by our community legal service program funding arrangements which limit the use of Commonwealth funding to non-litigious matters.

CASE STUDY: Coastal development - Phillip Island permit refusal upheld

The EDO successfully represented the Phillip Island Conservation Society (PICS) in a VCAT application by the Linfox Property Group, who sought to overturn the Bass Coast Shire Council's decision to refuse to grant a planning permit. Linfox sought a permit from the Council to construct an 18-hole golf course, 382 units, a golf club house and a 250-person conference centre adjacent to the existing Grand Prix Circuit. PICS objected to the proposal due to the positioning of this development, which abuts a significant piece of dramatic coastline and a coastal reserve.

VCAT affirmed the initial decision of the Council, noting that, although this type of development is not prohibited by the Bass Coast Planning Scheme, the scale, extent and position of this particular development is too expansive and too close to the abutting coastline and coastal reserve. The Tribunal was not satisfied that the environmental and landscape values of the site and wider area would be sufficiently acknowledged and protected.

Working for change – policy and law reform work

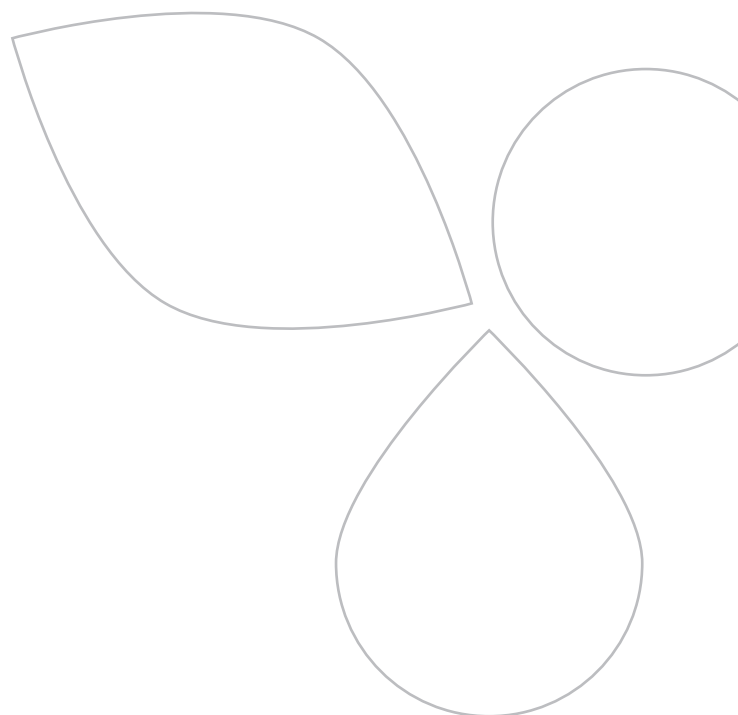
The EDO contributes legal and policy expertise to the work of individuals and organisations pursuing policy change and law reform. We are regularly asked to contribute ideas, provide legal advice and make suggestions for law reform by organisations large and small working on issues such as climate change, biodiversity conservation and water resource management.

This year has seen us working closely with the Victoria Naturally Alliance, a coalition of conservation groups seeking to protect and restore Victoria's biodiversity. Together with the Alliance, we contributed detailed submissions to the *Land and Biodiversity at a Time of Climate Change* Issues Paper and Green Paper. Reflecting our increased emphasis on proactive and agenda-setting work, we also undertook a detailed review of the initial round of submissions to the consultation paper, a process that culminated in the publication of a detailed report, *Land and biodiversity – a call for action* in January 2008.

Other law reform and policy work this year has been spread across a diverse range of areas. For example, our work has included responding to calls for submissions the Melbourne 2030 Audit, a proposed VicRoads Code of Practice for Native Vegetation Removal and commenting on the draft Victorian Coastal Strategy.

We also contribute to the law reform and policy work of the EDO network on matters arising at the national level, such as the National Plan for Water Security and the resultant *Water Act 2007* (Commonwealth) and the use of environmental offsets under the EPBC Act 1999

Visit our website www.edo.org.au/edovic/policy.html to view these submissions, and more.



Educating and informing the community

Educating and informing the community about environmental law issues is an important part of our work. In addition to the EDO's range of publications covered elsewhere in this report, the EDO provides workshops, seminars and guest lectures on environmental law topics. Audiences range from members of community organisations working to protect and enhance their environment to professionals working in the environmental field to law students considering careers in environmental law.

Our workshops

In 2007-2008, the EDO inaugurated two new workshop series and we were able to deliver workshops across Victoria from Bairnsdale to Mildura.

Supported by some funding from the Threatened Species Network, the EDO presented nine all-day workshops. This provided training in biodiversity law to 155 individuals from 83 Victorian community and environment groups. This program arose from attendee feedback from our previous workshop series on Native Vegetation Law and Policy, which has also continued to be offered. Both workshops are conducted with community groups working to protect the environment in their local areas.

The EDO has paid particular attention to delivering its range of workshops in rural and regional areas, and a common participant comment has been how appreciative they are to have such an opportunity in their area.

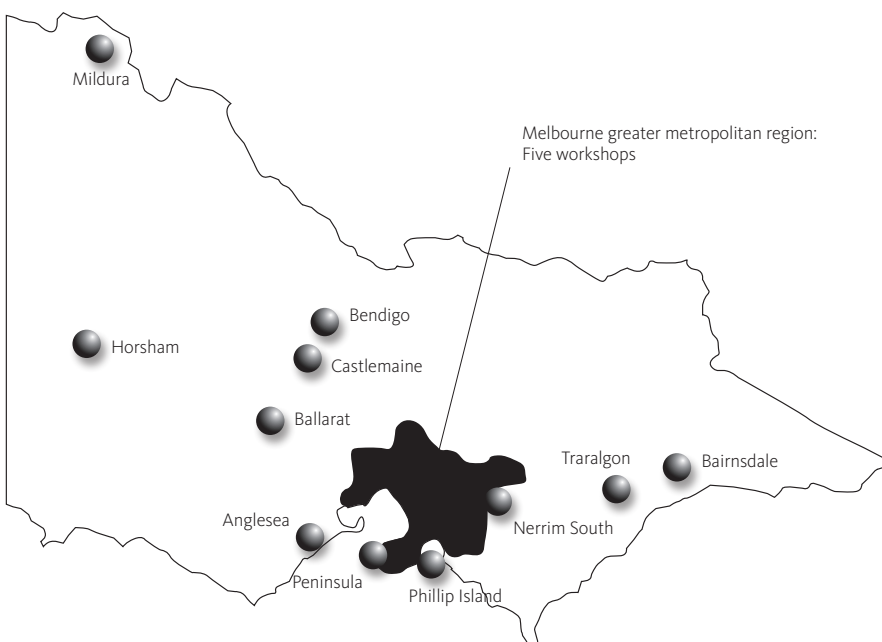
Another successful initiative has been the funding by the Legal Services Board of a new program, 'Improving Community Participation in Planning and Environment Appeals' which commenced at the end of the 2007-2008 year. This allows the EDO to present 2-hour workshops to teach people how to represent themselves in appeals. This applies to individuals and to community groups. The delivery of this project and the development of an ongoing program of workshops and publications will be a high priority for the year ahead.

"Very good information and engagingly presented"

Malory Weston, Bald Hills-Creswick Landcare Group

"Tremendous opportunity to learn how the law is applied and to spend time with groups holding common interest"

Alex Smart, Werribee River Association



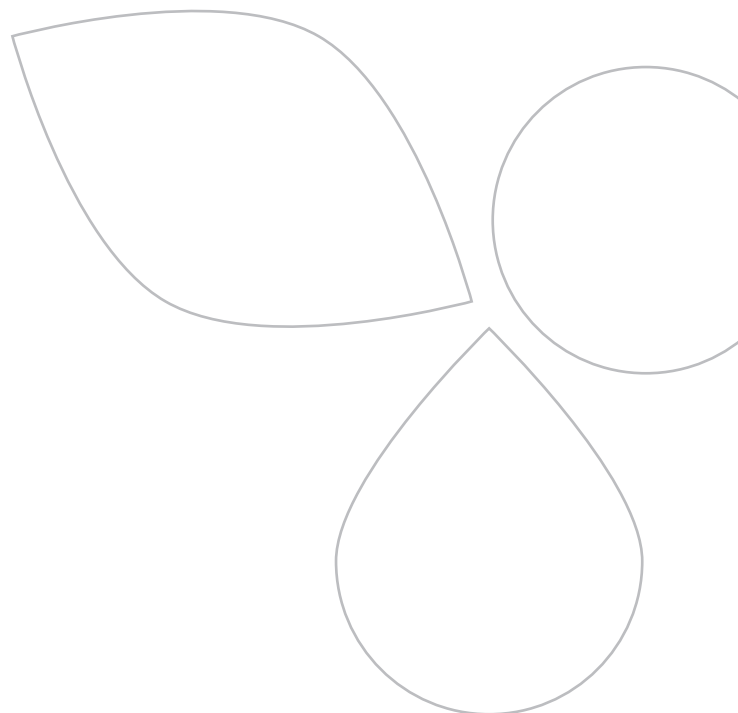
EDO seminar series

In 2007-2008 the EDO ran nine free public seminars in the conference room facilities in the 60L Green Building. These seminars are popular and cater to a diverse range of people, from members of the community through to legal professionals. Seminar topics and speakers were:

- **'Gene Manipulation and the Law'** – Charles Lawson, Senior Research Fellow, University of Queensland; Bob Phelps, Executive Director, Gene Ethics
- **'The Law, Animal Welfare and the Environment'** – Graeme McEwen, chair, Barristers Animal Welfare Panel; Rheyra Linden, campaign director, Animal Active: The Australian Animal Rights Network Inc; Alice Skipper, Lawyer, DLA Phillips Fox; Annabelle Minter, final year student, Bachelor of Science/Bachelor of Law, Melbourne University.
- **'The Aboriginal Heritage Act 2006'** – Oona Nicholson, Principal Heritage Consultant, Environmental Resources Management Australia; Jamin Moon, Senior Heritage Policy Officer, Heritage Services Branch, Aboriginal Affairs Victoria; Andrew Walker, Senior Associate, DLA Phillips Fox; Megan Utter, Senior Associate, DLA Phillips Fox
- **'The Water Act 2007'** – Brendan Sydes, Principal Solicitor EDO; Juliet Le Feuvre, Healthy Rivers Campaigner, Environment Victoria
- **'Human Rights and Environmental Law'** – Ben Schokman, Human Rights Law Resource Centre; Simon McGregor, barrister; Mimi Marcus, Maddocks
- **'Climate Change and the Planning and Environment Act 1987'** – Brendan Sydes, Principal Solicitor EDO
- **'Careers in Environmental Law'** – Charles Berger, Director, Sustainable Strategies, Australian Conservation Foundation; Eliza Bergin, Senior Associate, Mallesons Stephen Jaques; Emily Porter, barrister; Neil Robertson, Legal/Legislation Officer, Department of Sustainability and Environment; Alice Skipper, Seconded Lawyer, EDO; Andrew Walker, Senior Associate, DLA Phillips Fox

- **'Environment Protection and Contaminated Land'** – Louise Hicks, Partner, DLA Phillips Fox; Henry Jackson, barrister; Anthony Lane, Director Hydrogeologist & Environmental Auditor, Lane Piper
- **'The White Paper – how green will it be?'** – Jo McCoy, Project Director, Land and Biodiversity White Paper, DSE; Karen Alexander, Biodiversity Campaigner, Victoria Naturally Alliance; Brendan Sydes, Principal Solicitor, EDO

The EDO also presented 'Land justice and the environment - a public interest lawyer's perspective' with Peter Seidel, Partner, Arnold Bloch Leibler, discussing the intersection between environmental protection and the longstanding struggle of the Yorta Yorta people for social justice.



Statistics

As part of our funding requirements under the Community Legal Services Program (CLSP), the EDO participates in the Community Legal Services Information System (CLSIS) which provides the following summary of how we have helped individuals and groups in 2007-2008 in the course of CLSP activities.

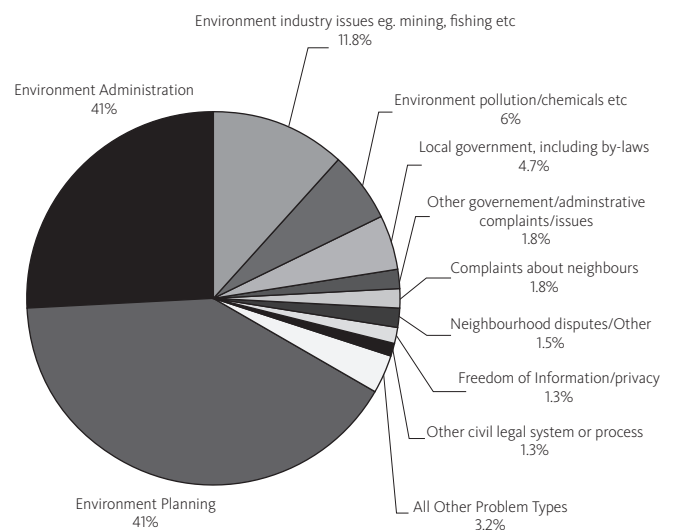
Activities

Type of Activity	Number
Provision of information	5428
Advice given	254
Casework:	
Cases completed	22
Cases ongoing	44
Projects:	
Community Legal Education Projects completed	48
Community Legal Education Projects ongoing	19
Law Reform and Legal Policy Projects completed	33
Law Reform and Legal Policy Projects ongoing	0

Problem Types

The following analysis of the top 10 problem types shows that consistent with previous years, planning and environment enquiries make up the largest portion of the assistance requested from the EDO.

Top 10 Problem Types



Publications

The EDO publishes a wide range of resources to assist and educate the community. This year, the EDO received funding from the Victoria Law Foundation and the Ian Potter Foundation to transfer our various publications into a new, free online resource. This work is currently underway with the support of legal professionals who will assist in updating material.

Publications are currently available in either printed or downloadable PDF format. Visit www.edo.org.au/edovic for further details and how to download or order.

Introduction to Victoria's Environment and Planning Law (4th edition)

An easy to read guide to enable the community's participation in Victorian and Commonwealth decision-making processes about planning and environmental issues.

EDO e-Bulletin

Subscribe to the EDO 's regular E-mail Bulletin to receive free updates on EDO cases, activities and current environmental law news. Email: edovic@edo.org.au

Kits

EDO Objections Kit

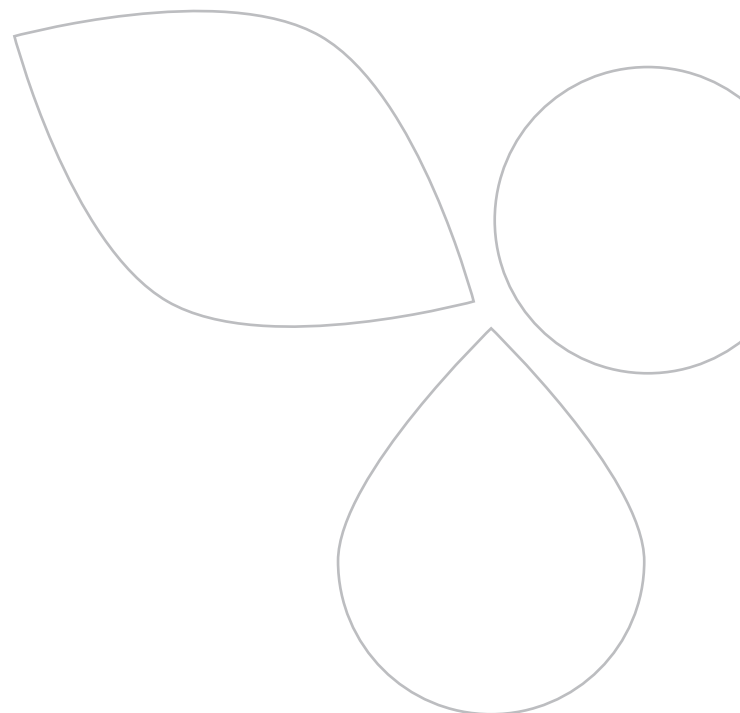
An easy to understand booklet on all aspects of objecting to planning permits.

EDO Appeals Kit

A step-by-step guide to running a case in the Planning and Environment List of the Victorian Civil and Administrative Tribunal.

EDO Enforcement Kit

A working guide to seeking enforcement in planning matters and to nuisance under the Health Act.



Staffing

- Brendan Sydes, Principal Solicitor
- Annette Jones, Solicitor
- Elizabeth McKinnon, Solicitor
- Mandy Johnson, Administration and Projects Coordinator
- Verity McLucas, Project Worker
- Emily Boldiston, casual administrative support
- John Hannagan, casual solicitor
- Bruce Dolphin continues to provide excellent bookkeeping services.

The EDO is pleased to have continued its pro bono partnership with DLA Phillips Fox in 2007-2008. As part of their commitment to supporting the environment and helping address climate change issues, DLA Phillips Fox has established a permanent full-time pro bono position with the EDO in Victoria. The lawyers seconded are from the firm's environment practice, ensuring they have the specialist knowledge and experience needed to service the EDO's clients. This arrangement has allowed for a significant increase both in service delivery to clients and in policy and law reform work. Secondees 2007-2008 were:

- Leigh Hogarty-Langston (July 2007-December 2007)
- Alice Skipper (January 2008-)

Volunteers and pro bono support

The operation of the EDO and our ability to provide services to the Victorian community relies on the generous support of our volunteers and the provision of pro bono assistance from legal and other professionals.

Voluntary contributions of time and expertise is important in all areas of our operations – office administration, graphic design, the provision of information and advice, legal representation, writing publications and submissions and the management of the organisation by the Board.

Our day-to-day operations rely on the support of law student volunteers and others who assist with tasks ranging from answering the phones to conducting legal research.

We work with barristers, solicitors and experts, many of whom have provided invaluable support to the EDO over many years, and others who make their time and expertise available directly to the EDO or through organisations such as the Public Interest Law Clearing House. The number of pro bono barristers assisting the EDO increased in 2007-2008.

Law students volunteering at the EDO

Many law students and others have contributed to the EDO by providing a day of their time during semester period to assist with legal research, paralegal tasks and administrative tasks.

In 2007-08, we increased the number of internships offered to students after successfully trialling the internship program in the previous year. Twelve students from six universities were selected from nearly 100 applications. These students undertook internships of one or two weeks during semester breaks. Interns assisted in either casework or policy and law reform work and made a substantial contribution to the EDO's capacity, particularly in policy work.

Staff and volunteer training

Both EDO staff and volunteers are provided with training internally and externally in a range of areas to keep our service knowledgeable, efficient and compliant.

This year, external staff training and conference attendances included:

- conferences and forums such as Adapting to Climate Change; Leading Justice; Legal Sector Publishers Forum.
- seminars on topics such as expert evidence; the what, how and why of conflicts; writing law reform submissions; ethics; women, politics and planning, Environmental Impact Assessment.

We actively seek to offer opportunities to our volunteers including our own seminar series (see 'Educating and informing the community'). This has been popular with our law student volunteers, particularly the 'Careers in Environmental Law' seminar, which was so successful last year that it has been adopted as an annual event.

EDO supporters

EDO Victoria sincerely thanks the following organisations and individuals for their support

Funding and Financial Support

Core Funding

Victoria Legal Aid and Commonwealth of Australia Community Legal Service Program

Department of Sustainability and Environment

Project Funding

Legal Services Board

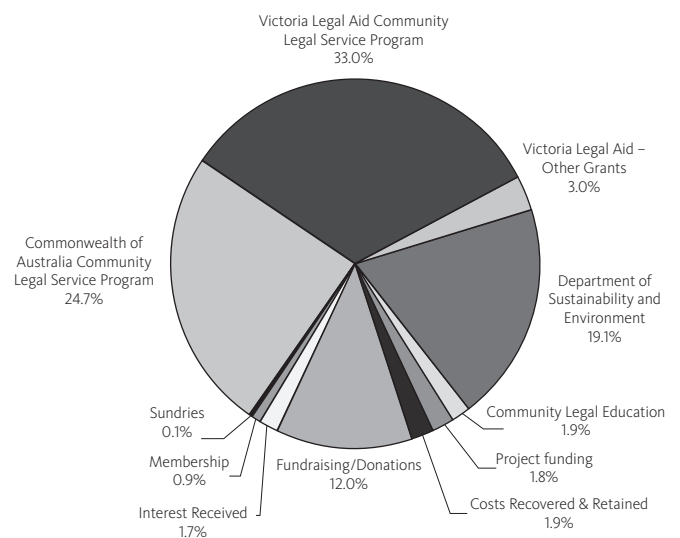
The Ian Potter Foundation

Victoria Law Foundation

WWF Australia (Threatened Species Network)

Individual Member Donors

Private donations from members make a real difference to the EDO, comprising 12% of our income in 2007-08. This year they will assist with our work in areas as diverse as biodiversity policy and the law student internship program. We thank the many individuals who have so generously contributed.



EDO supporters (Cont'd)

EDO Victoria sincerely thanks the following organisations and individuals for their support

Companies and organisations

Biosis Research
Birds Australia
DLA Phillips Fox
Economists at Large
Environment Victoria
Lander & Rogers
Maddocks
Paoli Smith Pty Ltd
PILCH
Public Land Consultancy
Rojo Wines
Victoria Law Foundation
Waterkeepers Australia

Individuals

Boyd Blackwell
Ken Boundy
Dr Peter Christoff
Marita H Foley
Juliet Forsyth
Renee Garner
Bernadette George
Peter Haack
Henry Jackson
Jason Kane
Lincoln Kern
Neil Lazarow
R Anthony R Lewis
Jim McKenna
Fiona M McLeod SC
Anne McCasland-Pexton
Stuart Morris QC
Peter O'Farrell
Tim O'Hara
Sarah Porritt
Neville Rosengren
John Sampson
Andrew Short
Ian Smales
Anthony Southall QC
Wayne Stevenson
Megan Utter
Max Wells

Seminar speakers

Karen Alexander
Charles Berger
Eliza Bergin
Arlene Buchan
Juliet Le Feuvre
Louise Hicks
Henry Jackson
Anthony Lane
Charles Lawson
Rheya Linden
Mimi Marcus
Jo McCoy
Graeme McEwen
Simon McGregor
Jamin Moon
Oona Nicholson
Bob Phelps
Emily Porter
Neil Robertson
Ben Schokman
Alice Skipper
Andrew Walker

Law Student Interns

Mahmud Begg
Philip Couch
Helen Fabinyi
John Fisher
Susan Howell
Giuseppe Lasco
Rebecca Marshall
Amanda McKenzie
Maria Riedl
James Tierney
Byron Webb
Bronwyn Woodgate
The EDO thanks Bernie Fox for his generous support for the EDO Internship Program

Law Student Volunteers

William Bartley
Emily Boldiston
Carly Godden
Jake Goldenfein
Brad Jessup
Katherine Kennedy
Rosamund Krivanek
Giuseppe Lasco
Kaitilin Lowdon
Olivia Mason
Oscar McLennan
Annabelle Minter
Meribah Rose
James Tierney
Hugh Tunnecliff
Dominik White
Agata Wierzbowski
Zoe Wong
Bronwyn Woodgate
Susan Zhao

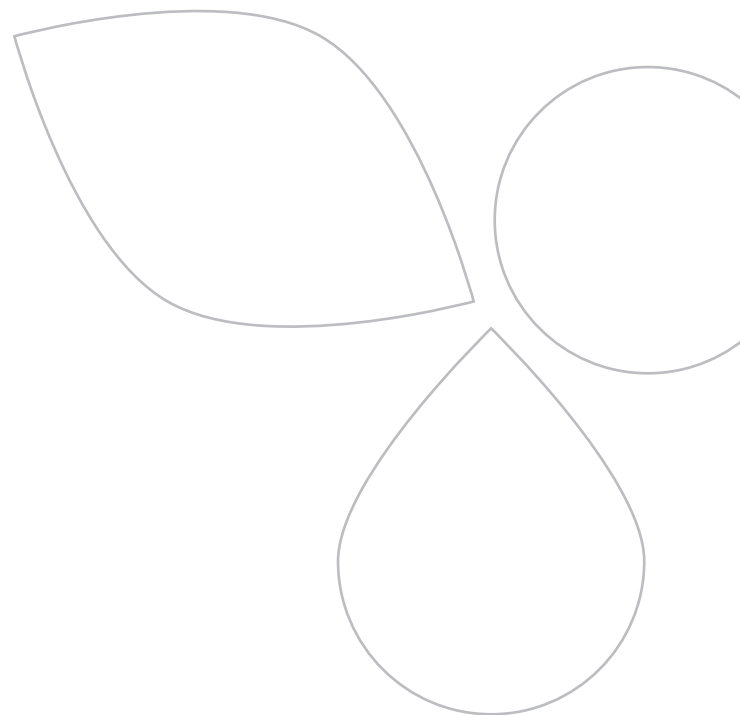
Financial Statements

For the Year ended 30th June 2008

Environment Defenders Office

(Victoria) Limited

ACN 052 124 375



Directors' Report

Your Directors submit the financial accounts for the financial year ended 30 June 2008.

DIRECTORS

The names of Directors in Office at the date of this report are:

Susan Margaret Chippendale

Richard Dominic Hilton

Henry Hall Jackson

Miriam Ann McDonald

Stephen May

PRINCIPAL ACTIVITIES

The principal activities of the company in the course of the financial year were providing environmental and planning law services to the community, promoting and developing educational programs for the community in connection with environmental and planning law matters, and promoting and encouraging environmental laws and policies for the conservation, protection and enhancement of the natural or cultural environment.

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

OPERATING RESULTS

The net deficit after providing nil for income tax amounted to \$15,115 (2007 Surplus \$43,692).

DIVIDENDS PAID OR RECOMMENDED

No Dividends were paid or are recommended for payment.

AFTER BALANCE DATE EVENTS

No matters or circumstances have arisen since the end of the financial year which significantly affected or may significantly affect the operations of the economic entity, the results of those operations, or the state of affairs of the economic entity in subsequent financial years.

LIKELY DEVELOPMENTS AND RESULTS

No changes are envisaged at present.

Directors' Report (Cont'd)

INFORMATION ON DIRECTORS

Susan Margaret Chippendale	Non-executive Director, Vice-Chairperson Manager – Domestic Communications, Australian Red Cross
Richard Dominic Hilton	Non-executive Director, Honorary Treasurer Senior Manager, Ernst & Young
Henry Hall Jackson	Non-executive Director, Vice-Chairperson Barrister-at-Law
Miriam Ann McDonald	Non-executive Director, Honorary Secretary Consultant, Maddocks
Stephen May	Non-executive Director, Chairperson Executive Director, Epworth Medical Foundation
Beverley Dawn Kennedy	Non-executive Director Special Counsel, Minter Ellison Solicitors
Bradley Lindsay James Tutt	Non-executive Director Tax Consultant, Ernst & Young

NEW DIRECTORS / RESIGNATIONS

Beverley Dawn Kennedy – Resigned 8 October 2007

Bradley Lindsay James Tutt – Retired at AGM 25 October 2007

AUDIT COMMITTEE

At the date of this report the Company does not have an audit committee.

CORPORATE GOVERNANCE

At the date of this report, the Company does not have a policy covering Corporate Governance.

DIRECTORS AND AUDITORS INDEMNIFICATION

The company has not, during or since the financial year, in respect of any person who is or has been an officer or auditor of the company or a related body corporate, indemnified or made any relevant agreement for indemnifying against a liability incurred as an officer, including costs and expenses in successfully defending legal proceedings; or paid or agreed to pay a premium in respect of a contract insuring against a liability incurred as an officer for the costs or expenses to defend legal proceedings.

Directors' Report (Cont'd)

SHARE OPTIONS

No options to shares in the company have been granted during the financial year and there were no options outstanding at the end of the financial year.

DIRECTORS' BENEFITS

No director has received or become entitled to receive, during or since the financial year, a benefit because of a contract made by the company, controlled entity or a related body corporate with a director, a firm of which a director is a member or an entity in which a director has a substantial financial interest.

This statement excludes a benefit included in the aggregate amount of emoluments received or due and receivable by directors and shown in the company's accounts, or the fixed salary of a full time employee of the company, controlled entity or related body corporate.

Signed in accordance with a resolution of the Board of Directors.

Director



Director



Dated this

21st

day of

September

2008

Income Statement For the Year ended 30 June 2008

		2008	2007
		\$	\$
Revenues from ordinary activities	2	359,882	313,044
LESS EXPENDITURE			
Amenities		1,504	1,350
Audit & Accountancy Fees		6,910	5,920
ASIC Lodgement Fees		-	105
Bank Charges		1,569	2,043
Capital Equipment – Maintenance		789	761
Capital Equipment – Purchase		679	-
Cleaning		-	375
Community Legal Education Expenses		3,230	-
Conference		4,775	4,139
Depreciation		5,940	3,336
Disbursements/Casework Clients		31,510	614
Electricity, Gas & Fuel		6,363	5,268
Insurance		1,791	1,940
Library		3,368	1,299
Memberships		1,422	1,540
Postage & Courier		1,155	1,377
Practising Certificates		1,595	655
Printing		1,917	2,918
Provision for Annual Leave		6,303	3,780
Publicity/Newsletter		901	742
Recruitment		376	-
Rent & Rates		16,420	16,286
Relocation Expenses		1,461	21,505
Salaries - Permanent		224,491	152,738
Salaries – Casual		7,252	5,074
Security		250	-
Stationery/Photocopying		6,317	4,989
Storage		1,720	-
Superannuation – Permanent		21,639	13,612
Superannuation – Casual		798	457
Sundry Expenses		527	409
Telephone/Telecommunications		6,869	9,247
Training		227	2,468
Travel		3,693	3,745
Volunteer		500	-
Workcover		737	660
		374,996	269,352
NET SURPLUS/(DEFICIT) FROM ORDINARY ACTIVITIES	3	(15,115)	43,692

Balance Sheet As at 30 June 2008

	Note	2008	2007
	\$	\$	
CURRENT ASSETS			
Cash and Deposits	5	216,221	159,069
Receivables and Prepayments	6	8,380	12,457
TOTAL CURRENT ASSETS		224,601	171,526
NON-CURRENT ASSETS			
Office Equipment	7	9,135	15,075
TOTAL NON-CURRENT ASSETS		9,135	15,075
TOTAL ASSETS		233,736	186,601
CURRENT LIABILITIES			
Creditors and Borrowings	8	18,066	12,699
Provisions and Projects	9	146,471	90,378
TOTAL CURRENT LIABILITIES		164,536	103,077
NON-CURRENT LIABILITIES			
Provision for Long Service Leave		-	-
TOTAL NON-CURRENT LIABILITIES		-	-
TOTAL LIABILITIES		164,536	103,077
NET ASSETS		69,200	83,524
EQUITY			
Accumulated Funds	4	69,200	83,524
TOTAL EQUITY		69,200	83,524

Notes to the Financial Statements For the year ended 30 June 2008

Note 1: Statement of Significant Accounting Policies

The financial statements are a special purpose financial report that have been prepared in accordance with the requirements of the Corporations Act 2001. The directors have determined that the company is not a reporting entity as defined in Statements of Accounting Concepts 1: "Definition of the Reporting Entity", and therefore, as there is no requirement to apply accounting concepts or standards in the preparation and presentation of these statements, none have been adopted.

The financial statements have been prepared on an accruals basis from the records of the company. They are based on historical costs and do not take into account changing money values or, except where stated, current valuations of non-current assets.

(A) Income Tax

No income tax has been provided for in the accounts as the company is a charitable institution and is endorsed as income tax exempt under subdivision 50-B of the Income Tax Assessment Act 1997. No matter or circumstance has arisen which affects the company's entitlement to this endorsement

(B) Property, Plant and Equipment

Property, plant and equipment are brought to account at cost or at independent or directors' valuation, less, where applicable, any accumulated depreciation or amortisation.

The carrying amount of property, plant and equipment is reviewed annually by directors to ensure it is not in excess of the recoverable amount from these assets. The recoverable amount is assessed on the basis of the expected net cash flows which will be received from the assets employment and subsequent disposal. The expected net cash flows have not been discounted to their present values in determining recoverable amounts.

The depreciable amount of all fixed assets including building and capitalised lease assets, but excluding freehold land, is depreciated on a straight line or diminishing basis over their useful lives to the company commencing from the time the asset is held ready for use.

(C) Cash

For the purpose of the statement of cash flows, cash includes: Cash on hand and at call deposits with banks or financial institutions, net of bank overdrafts.

(D) Goods and Services Tax (GST)

Revenues, expenses and assets are recognised net of the amount of GST except where the amount is not recoverable from the Australian Taxation Office. In these circumstances the GST is recognised as part of the cost of acquisition of the asset or as part of an item of the expenses. Receivables and payables in the Statement of Financial Position are shown inclusive of GST.

Notes to the Financial Statements For the year ended 30 June 2008

	2008	2007
	\$	\$
Note 2: Revenue		
Operating Activities		
Members Contributions	3,021	3,396
Grants	288,994	266,966
Interest Received	5,854	4,644
Donations, Fund Raisings, Lectures Etc.	41,952	21,179
Other – Costs Reimbursed/Retained	6,691	4,074
C.L.E.	13,154	12,785
Sundry	216	-
	359,882	313,044

Note 3: Profit from Ordinary Activities

Profit (Loss) from ordinary activities before income tax	(15,115)	43,692
Expense has been determined after:		
(a) Expenses:		
Auditing Services	2,340	1,760
Depreciation of non-current assets - property, plant & equipment	5,940	3,336
Other provisions - Employees entitlements	6,303	3,780

Note 4: Accumulated Funds

Accumulated Funds at beginning of the financial year	83,524	39,832
Prior Year Adjustments	790	-
Net Surplus/(Deficit) for the year	(15,115)	43,692
Accumulated Funds at the end of the financial year	69,200	83,524

Note 5: Cash and Deposits

Cash on Hand	200	200
Cash at Bank – Cheque A/C	48,871	80,166
Cash at Bank – V2 A/C	157,150	68,703
Term Deposit	10,000	10,000
	216,221	159,069

Note 6: Receivables and Prepayments

Accounts Receivable	8,380	12,457
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Note 7: Office Equipment

Office Equipment	25,103	58,006
Less Accumulated Depreciation	15,968	42,931
	9,135	15,075

Notes to the Financial Statements For the year ended 30 June 2008

	2008	2007
	\$	\$
Note 8: Creditors and Borrowings		
Accounts Payable	3,410	-
Sundry Creditors	14,656	10,939
Audit	-	1,760
	<hr/>	<hr/>
	18,066	12,699
Note 9: Provisions and Projects		
Myer Foundation Project	-	4,670
D.S.E./D.P.C.D. Funding	67,000	67,000
V.L.A. Funding	-	13,058
Legal Services Board	50,000	-
Ian Potter – EnviroLaw National	17,517	-
Provision for Annual Leave	11,954	5,650
	<hr/>	<hr/>
	146,471	90,378

Note 10: Company Limited By Guarantee

The company is a registered public company limited by guarantee. In the event of the company being wound up, the articles of association state that the liability of each member, or each former member who ceased to be a member within six months of the company being wound up, is limited to an amount not exceeding \$10.00. As of 30 June 2008 the number of members was 74.

Note 11: Company Details

The registered office of the company is:

L3, 60 Leicester Street

Carlton VIC

Statement of Cash Flows For the year ended 30 June 2008

	2008	2007
	\$	\$
CASH FLOWS FROM OPERATING ACTIVITIES		
Receipts from government grants	273,865	216,925
Receipts from other sources	134,485	44,425
Payments to suppliers and employees	(357,052)	(219,393)
Receipts from interest	5,854	4,644
Net cash provided by (used in) operating activities	57,152	46,601
CASH FLOWS FROM INVESTING ACTIVITIES		
Proceeds from (payment for) property, plant and equipment	-	-
Proceeds from (payment for) investments	-	-
Net cash provided by (used in) investing activities	-	-
CASH FLOWS FROM FINANCING ACTIVITIES		
Proceeds from (repayment of) borrowings	-	-
Net cash provided by (used in) financing activities	-	-
Net increase (decrease) in cash held	57,152	46,601
Cash at beginning of reporting period	159,069	112,468
Cash at end of reporting period	216,221	159,069

Notes to Statement of Cash Flows For the year ended 30 June 2008

	2008	2007
	\$	\$
Reconciliation of Cash Flow from Operations with Operating Profit after Income Tax		
Operating Profit	(15,115)	43,692
Cash flows excluded from operating profit attributable to operating activities	-	-
Finance costs on debentures	-	-
Abnormal item	-	-
Share buy back	-	-
Non-cash flows in operating profit	-	-
Amortisation	-	-
Depreciation	5,940	3,336
Changes to provisions	-	-
Write-off of capitalised expenditure	-	-
Write-off of obsolete stock	-	-
Profits on sale of property, plant and equipment	-	-
Gain on debt defeasance	-	-
Profits on sale of investments	-	-
Unrealised gain on investments	-	-
Revaluation decrement on investments	-	-
Movement in income taxes payable	-	-
Movement in deferred taxes payable	-	-
(Increase)/Decrease in current receivables	4,533	(11,015)
(Increase)/Decrease in non-current assets	-	(7,763)
(Increase)/Decrease in provisions	6,303	-
(Decrease)/Increase in provisional projects	49,789	18,708
(Decrease)/Increase in current creditors	5,700	(354)
Cash Flows from operations	57,152	46,601

Directors' Declaration

The directors have determined that the company is not a reporting entity as defined in Statements of Accounting Concepts 1: "Definition of the Reporting Entity", and therefore there is no requirement to apply accounting concepts or standards in the preparation of these financial statements. The directors have determined that this special purpose financial report should be prepared in accordance with those accounting standards and the basis of accounting outlined in Note 1 to the accounts.

In the opinion of the directors of the company:

1. The financial statements and notes, as set out on pages 5 to 11:

- (a) Is in accordance with the accounting standards and the basis of accounting outlined in Note 1 to the accounts; and
- (b) give a true and fair view of the financial position as at 30 June 2008 and performance for the year ended on that date of the company.

2. At the date of this statement there are reasonable grounds to believe that the company will be able to pay its debts as and when they fall due.

3. The company has kept such accounting records as correctly record and explain the transactions and financial position of the company, in a manner as would enable true and fair accounts of the company to be prepared from time to time, and would enable the accounts to be conveniently and properly audited in accordance with the Corporations Act 2001. The accounts have been properly prepared by a competent person.

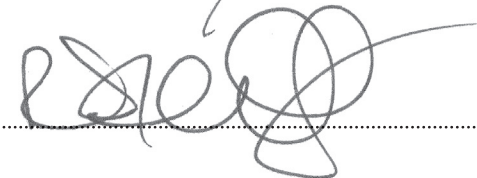
This declaration is made in accordance with a resolution of the Board of Directors and is signed for and on behalf of the directors by:

Director



.....

Director



.....

Dated this 21st day of September 2008

INDEPENDENT AUDIT REPORT To the Members

Scope

We have audited the financial statements comprising the statement by directors, income statement, balance sheet, statement of cash flows and notes to and forming part of the financial statements of Environment Defenders Office (Victoria) Limited for the financial year ended 30th June 2008.

The company's directors are responsible for the preparation and presentation of the financial statements and the information contained therein and have determined that the accounting policies used and described in Note 1 to the financial statements are appropriate to meet the requirements of the Corporations Act 2001 and are appropriate to meet the needs of the members. We have conducted an independent audit of the financial statements in order to express an opinion on them to the members of the company. No opinion is expressed as to whether the accounting policies used, as described in Note 1, are appropriate to meet the needs of the members.

The financial report has been prepared for the distribution to members for the purpose of fulfilling the directors' financial reporting requirements under the Corporation Act 2001. We disclaim any assumption of responsibility for any reliance on this report or on the financial report to which it relates to any person other than the members, or for any purpose other than that for which it was prepared.

Our audit has been conducted in accordance with Australian Auditing Standards to provide reasonable assurance whether the financial statements are free of material misstatement. Our procedures included examination, on a test basis, of evidence supporting the amounts and other disclosures in the financial statements, and the evaluation of accounting policies and significant accounting estimates. These procedures have been undertaken to form an opinion as to whether, in all material respects, the financial statements are presented fairly in accordance with the accounting policies described in Note 1 to the financial statements as to present a view which is consistent with our understanding of the company's financial position and performance as represented by the results of their operations and their cash flows. (These policies do not require the application of all Accounting Standards and UIG Consensus Views).

The audit opinion expressed in this report has been formed on the above basis.

Audit Opinion

In our opinion, the financial statements of **ENVIRONMENT DEFENDERS OFFICE (VICTORIA) LIMITED** are properly drawn up:

(a) so as to give a true and fair view of:

- (i) the state of affairs as at 30 June 2008, and of the profit and cash flows for the financial year ended on that date of the company; and
- (ii) the other matters required by the Corporations Act 2001 to be dealt with in the financial statements;

(b) in accordance with the provisions of the Corporations Act 2001, and

(c) in accordance with applicable Accounting standards and other mandatory professional reporting requirements to the extent described in Note 1 to the financial statement.



Janet L. Collyer (Partner)

J. L. COLLYER & PARTNERS

1st Floor, 189 Coleman Parade, Glen Waverley, VIC 3150
23rd September 2008

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