



Environmental Defender's Office
AUSTRALIAN CAPITAL TERRITORY

ANNUAL REPORT

2012-13

PROTECTING THE ENVIRONMENT THROUGH THE LAW

Environmental Defender's Office (ACT)
Level 1, 14 Childers Street,
Canberra ACT 2601

GPO Box 574
Canberra ACT 2601

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Email: edoact@edo.org.au
www.edo.org.au/edoact

OVERVIEW OF THE EDO (ACT)'S OBJECTIVES

- Vision:** To empower the community to protect the environment through the law.
- Mission:** To provide a community legal aid service to provide legal services on environmental and related matters to persons whose interests should be pursued as a matter of public interest taking into account their financial means.
- Values:** To address the disempowerment that results from an inability to access legal services in relation to matters affecting the natural and built environment and to promote access to the legal system for persons seeking to protect the environment.
- Objectives:** To provide a community legal service specialising in environmental law for the benefit of persons in the Canberra region whose interests should be pursued as a matter of public interest taking into account their financial means.
- To ensure that the EDO (ACT) is able to operate effectively and is accountable to its funding bodies

THE ROLE OF THE EDO (ACT)

The EDO (ACT) has three main functions:

- providing legal advice and representation on environmental law matters to members of the community and community groups interested in preserving the environment;
- undertaking community education about legal issues related to the environment and planning;
- Researching and making submissions to government about reforms of laws and policies affecting the environment.

Specific EDO services to the ACT and regional community include:

- providing legal advice and representation to people and groups seeking to protect the environment;
- presenting environmental law seminars to the community, and presenting individually tailored talks to schools and environmental groups;
- providing environment and planning law information to the general public, such as the EDO's environmental law fact sheets and the ACT Environmental Law Handbook;
- researching public interest matters in environmental law; and
- Promoting laws and law reform that helps to protect the environment including working with other ACT community legal centres, indigenous groups and environmental groups to make submissions proposing improvements to environment and planning policies and laws.

CHAIR'S REPORT

By Dr Hanna Jaireth*

Our tiny, part-time community legal centre performed far and away beyond its funding level for all of the financial year 2012–13. This was thanks to the dedication and capabilities of the paid part-time staff who have specialized skills, the capabilities and enthusiasm of the volunteers and interns, and the volunteer contributions and good governance of the management committee. Everyone worked well throughout the year. This was despite the constant and significant financial under-resourcing that was relieved only after the end of the financial year.

We are grateful to the Commonwealth's Community Legal Services Program (our primary funder), and the ACT Law Society (our secondary funder), for the resources they provide to the EDO (ACT) Inc. Our supported location in the ACT Legal Aid Office amongst like-minded staff was also much appreciated. But we became much more grateful as the year ended as the Commonwealth recognised the value in better funding the Australian Network of EDOs to ensure more diversity in the Australian legal services market, and to provide better access to justice for those concerned about ecologically sustainable development.

Reflecting on what the EDO (ACT) achieved during the year, the terms 'consolidation', 'renewal' and 'quality delivery' come to mind.

Consolidation

The EDO's Principal Solicitor, Camilla Taylor, joined the EDO in June 2012 and took the demands of the role in her stride. Camilla worked with colleagues on numerous submissions that were lodged mostly within time. She also published Summer, Autumn, Winter and Spring Newsletters, and contributed regular 'ACT Recent Developments' columns to the *National Environmental Law Review*. She delivered legal advices, an environmental law career seminar at the ANU College of Law, and managed the program for interns and volunteers. This outstanding effort restored the EDO to its expected performance level, and re-established its voice in ACT policy discussions concerning public interest environmental law. Aply assisted by the EDO's long-term Administrator and Public Officer, June Weise, and long-term Treasurer Lee Nelson, Camilla worked very long hours to ensure that the EDO's strategic plan, governance manual, casework guidelines, and funding conditions were all complied with.

June Weise also worked way beyond her 10 hours a week to ensure that the EDO's finances were well-managed and could pass independent audits, the Office was well-run, and members were informed of developments. June's expertise in bookkeeping, the financial aspects of human resource and office management, and her knowledge of the administration and governance cycle is invaluable. We also became a member of the Copyright Agency so that our publications might generate a very modest return.

In July 2012 we partnered with the Conservation Council ACT Region to deliver a community forum on various aspects of ACT's planning and nature conservation legislation. The forum discussed the role of the Conservator of Flora and Fauna, the operation of strategic and environmental impact assessments in the ACT and identified improvements to streamline Commonwealth-Territory processes without the need for an approval bilateral agreement under the EPBC Act.

The EDO Management Committee became more efficient as members settled into their roles. Two constructive planning meetings and seven regular meetings were held, and lots of out of session discussions occurred. Our Secretary, Catherine Hayes, did consistently excellent work, as noted below. We unfortunately lost Matt Swainson to other commitments during the year, but were grateful for the contributions of Pam Foo (Vice-Chair), Lee Nelson (Treasurer), Susan Bell (Membership Officer), and committee members Kasy Chambers, Andrew Collins, Byron Fay, Roland Manderson and Nancy-Louise Scherger.

We surveyed the EDO membership in June 2013. Seventy-eight per cent of the 20 respondents were satisfied or extremely satisfied with the EDO's services. Respondents ranked the top five issues for EDO interest as strategic and environmental impact assessments; biodiversity conservation; (tied between) water management and climate change law and policy; (tied between) public land management and community legal education; and development approvals. Seventy-four per cent of the respondents considered the most important work conducted by the EDO ACT as 'public submissions' and 'advocacy', followed by 'litigation' and 'information and awareness' at 63% respectively. These limited survey results confirmed that the EDO has been working on the right track.

Renewal

We are working with other EDOs to further develop the established national EDO network. We are also working to formalize our relationship with the ANU and the University of Canberra to better meet the needs and aspirations of interns and other student volunteers. Meanwhile good relations continue.

We continued during the year to renew our brand and modernize some of our processes. Several board sub-committees were established. A membership committee (Susan Bell, Catherine Hayes and Camilla Taylor) ran a successful recruitment drive. Online banking accounts with fees waived were set up after years of trying. A new account, the 'Environmental Defender's Office (ACT) Public Fund Account', was also established.

Daryl Seto, our generous volunteer website-manager, agreed to work with a sub-committee (Byron Fay, Pam Foo and Camilla Taylor) and a local company, Spectrum Graphics, to renew the EDO's website's look and functionality. The design and colours of the new logo generated lively discussion at too many meetings, but resolution, and the new website are not far off. An events sub-committee (Hanna Jaireth, Camilla Taylor, Byron Fay and Susan Bell) was also established.

Quality delivery

The Management Committee has been pleased with the quality of the submissions and activities that the EDO has delivered. Information is accessible on our website about both. Our indefatigable secretary, Catherine Hayes, not only provided high quality secretariat services for free during the year, but she also led a review and amendment process of the EDO's Rules, assisted by Andrew Collins, with a view to achieving Deductible Gift Recipient (DGR) status so that donations to the EDO will be tax deductible. We could not have progressed this without Catherine's consistently meticulous work, and we expect good news in 2014.

Other governance and procedural improvements achieved during the year include accreditation by the National Association of Community Legal Centres; the development of submission guidelines for EDO volunteers, and a review of the EDO's Strategic Plan.

Looking forward

The EDO is keen to develop a *pro-bono* panel of private practitioners and academics to assist with our work as needs arise. We are also looking to expand our board so that more hands can make lighter work. Please do contact us if you are interested. Voiceless nature and future generations should be the primary beneficiaries, but you may also find your contributions rewarding.

Hanna Jaireth

Chair, EDO Management Committee

* This role is discharged without payment in a personal professional capacity after hours with the knowledge of my employer, the Law Council of Australia. hanna.jaireth@gmail.com

PRINCIPAL SOLICITOR'S REPORT¹

Overview

The *State of the Environment Report 2011* has identified the ACT's affluence and growth as giving rise to three key challenges for the ACT environment:

1. Increasing demand for additional and diverse housing and associated infrastructure for transport, placing pressure on green spaces;²
2. Increasing demand for education, medical, retail, recreational and other services; and
3. Increasing demand for water and energy supply and waste services.³

These factors remain a challenge for the ACT and with the current review of the *Environment Protection Act 1997* (ACT), the *Nature Conservation Act 1980* (ACT) and ACT's Water Strategy, it is timely to examine options for developing a more effective framework for ACT's environmental management. In the ACT there is duplication between the various agencies responsible for enforcing and administering the various environmental Acts and at times there appears to be a lack of coordination. Separate enforcement and compliance regimes exist.⁴ When ecological components are separately administered under different legal regimes there is an increased likelihood of fragmentation and inconsistency of implementation. These circumstances, coupled with various gaps in the legislative framework result in a common deficiency across the environmental management frameworks – a limited capacity for monitoring which leads to a lack of enforcement, and increased disincentive for compliance. In the ACT this situation is exacerbated by limited civil penalty options available to the Environmental Protection Authority which results in a low number of prosecutions.

Environmental issues remain a high concern to many Canberrans, and 2012–13 saw a continued interest in environmental and planning issues in the ACT and its region. The EDO assists clients in understanding the planning process and their opportunities for involvement in this process with the aim of improving environmental outcomes in urban planning, and to assist the community in taking action to protect and improve the ACT environment.

The EDO has continued to participate in its community legal education program including community forums, fact sheets and newsletters which focus on the local issues and inquiries about ACT environmental legislation.



The EDO ACT has continued with its law reform and policy work by responding to the ACT and Commonwealth Governments' invitations to submit views on future policy. In all its submissions the EDO seeks to provide balanced and dependable advice.

The EDO continues to build relationships with key stakeholders and works closely with community groups including ACT environmental networks, community councils and individuals. The EDO's priority issues focus on how to improve environmental outcomes and these are discussed at annual planning days with the EDO Management Committee as well as regular

¹The EDO's Principal Solicitor, Camilla Taylor can be contacted on edoact@edo.org.au

² The Report estimates that 55% of future greenfield development in the ACT is expected to be comprised of new residential development, potentially resulting in vegetation clearing, land degradation, water quality impacts, altered water flows, habitat loss and impediments to the movement of the native animals.

³ Commissioner for Sustainability and the Environment, *ACT State of the Environment Report (2011)* iv.

⁴ Specifically, Territory and Municipal Services ('TAMS'), the Environment and Sustainable Development Directorate (which combines the former Department of Environment, Climate Change, Energy and Water, ACTPLA and transport planning, nature conservation policy and support to the Conservator of Flora and Fauna), the Land Development Agency and the Office of the Commissioner for Sustainability and Environment.

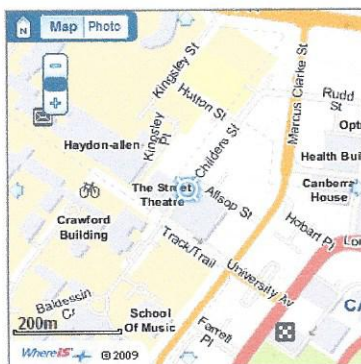
Committee meetings, and the outcomes of the EDO's work is detailed in the Principal Solicitor's monthly reports.

In 2012–13 membership grew significantly and has been maintained at the number required to apply for DGR status as mentioned in the Chair's report. An updated membership form was developed and most of the work to redesign the website to ensure it is more attractive and user friendly was completed during the year.

The EDO's roles and objectives are significant and diverse. The absence of a principal solicitor for an extended period during the 2011–12 year seriously interrupted the work of the EDO which was rectified at the end of the previous financial year with my employment as Principal Solicitor. 2012–13 also saw new membership for the Management Committee. As a result much of this year has been about consolidating our strengths, coordinating our resources and knowhow, and planning for the delivery of agreed strategic priorities. We expect the results of these efforts to become apparent in the coming financial year, and that the role of the EDO will not only become more effective in areas of need, but that the profile of the Office will be raised so that more members of the community access the EDO's resources and educational materials.

During the 2012–13 year, and in previous years since its inception, the EDO ACT has operated on a part time basis, being the only EDO in Australia to do so. This meant that a constant strain was placed on the Office as it attempted to fulfill the objectives of not only the Office, but our Strategic Plan and the priorities set by the Management Committee. The EDO has consistently stated that this Office needed an increase in funding commensurate with the actual work yield. This appeal can be seen in many of its past Annual Reports. At the end of 2012-13 the Commonwealth Government heeded this call and agreed to increase funding over the next four years for all of the EDOs nationally, including the EDO ACT. The EDO is extremely grateful for this funding and plans to apply the funding so that the Office can expand in order to increase its effectiveness and efficiency in the fulfillment of its mandate to provide legal assistance in environmental law matters to the ACT community and region.

The 2012-13 year also saw an increased amount of work on developing a future strategy for the Australian Network of EDOs (ANEDO), including analysis of a funding structure, staffing, and priorities to be realised for the development of a national office, communications, and collaboration within ANEDO including the establishment of the ANEDO Law Reform Working Group.



Staff

In the 2011–12 financial year the EDO employed two part-time staff Camilla Taylor, Principal Solicitor and June Weise, Administrator. The Office operated Monday to Wednesdays from 9.30am to 5.30pm, and on Thursdays from 9.30am to 1.30pm. The EDO enjoys a supportive and passionate Management Committee which continues to meet face to face bi-monthly and work very effectively inter-sessionally. Special thanks are due particularly to the office bearers – Chair – Hanna Jaireth, Vice-Chair Pam Foo, Secretary – Catherine Hayes, Treasurer – Lee Nelson, but all of the members of the Management Committee contributed during the year to the

EDO's successful operation

The EDO continues to be co-located with Legal Aid ACT. The EDO is grateful for the support offered by Legal Aid ACT and would particularly like to extend thanks for its provision of information technology and communications services as well as a reasonable rent. This gracious support allows the EDO to operate effectively and provides a convenient location proximate to our clients, environmental stakeholders and the government sector in both the Territory and Federal spheres.

Volunteers and interns

The EDO could not provide its services to the ACT community as comprehensively without the ongoing dedicated support provided by the volunteers and interns. EDO volunteers are predominantly university students and members of the EDO's Management Committee. The contribution of volunteers amounts to many hours per week and enables the EDO to fulfill all of its core objectives and functions even with the extremely limited staffing resources. In 2012–13 the EDO established a volunteer program with the ANU after a formal application and selection process. Early in the year the EDO approached the Australian National University Internships Program about offering internships. The EDO is now part of that program and students have been interning at the EDO for credit since January 2013. An environmental law clinic initiative has also been proposed to the ANU, and is the subject of ongoing consideration. In the short term, the EDO and the ANU agreed to initiate a relationship via the Law Reform and Social Justice program. It is envisaged that the same relationship will be established with the University of Canberra in the coming financial year.

EDO funding

As outlined on page 2 of this report, the EDO provides three main services to the ACT community: legal advice and assistance, community legal education and law reform.

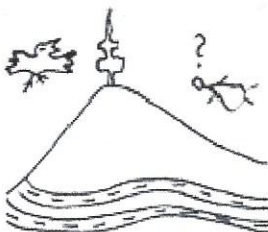
As with previous years, there has been an increasing demand for EDO (ACT)'s services, namely environmental law advice and information due to the environmental issues facing the ACT community, specifically the increasing planning and development pressures, together with increasing concerns about climate change.

The EDO receives the funding to provide these services from a number of sources. As mentioned above, the Commonwealth Attorney General entered into a new Grant Agreement with the EDO ACT to provide services through its Commonwealth Community Legal Services Program. The new Agreement grants the Office \$100,000 p.a. for the next four years. This Agreement is in addition to the existing earlier agreement which has been extended until 1 July 2014. The EDO is grateful to the Australian Government for its continued assistance.

The ACT Law Society also continued its funding in the 2011–12 year for which the EDO is also very grateful. This support has been an extremely important factor in ensuring the EDO ACT can continue to provide services to the ACT community. The EDO would also like to thank its members and donors for their continued and valuable support.

Legal advice and casework

In 2012–13 EDO advice was sought by a wide variety of individuals, community groups and environment organizations. The EDO assisted these clients by providing lengthy written advice, one-off legal advices, information, and ongoing case work assistance. This advice and information was delivered by telephone, face to face, and in written form. As in previous years, the majority of EDO's advice and casework continues to focus on planning and development issues in the ACT, with



an emphasis on the impacts of biodiversity conservation in the face of development pressures, the environmental impact assessment process, access to information and the accountability of environmental and planning decision makers. In addition to this, the EDO has provided advice on a range of subject matters including tree protection, heritage protection, freedom of information requests, noise, air and water pollution.

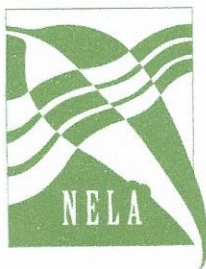
The EDO provides ongoing assistance to many of the ACT's Community Councils in relation to a number of matters including the impacts of residential development, the rezoning of land use for development, the process of development applications and amendments to the Territory Plan. The EDO strives to assist the community in understanding the legal processes and requirements for such projects. Statistical detail of clients is

recorded on the 'Community Legal Services Information System' (CL SIS) database. A Summary Report is attached to this report.

Community legal education and community development work

In 2012–13, the EDO continued its important community legal education and community development work. This work includes providing useful, easy to understand information on environmental laws in the form of telephone advice and referrals, fact sheets, the *ACT Environmental Law Handbook*, quarterly newsletters, community forums and maintaining all of this material on an informative and user friendly website.

In July 2012, Dr Hanna Jaireth, EDO ACT Chair, delivered a presentation and discussion on the *Nature Conservation Act 1980* and the *Planning and Development Act 2007* at the Conservation Council's Forum. A presentation about the EDO (ACT) and its services was also made. The EDO participated in a presentation at the ANU about careers in environmental law.



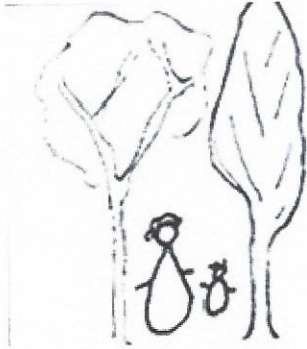
Community education was also provided through contributions to the ACT Recent Developments section of the *National Environmental Law Review*, a quarterly journal of the National Environmental Law Association. The Law Reform and Social Justice Project with the ANU was established to provide project work for students in the field of environmental law. The EDO directed the project work and Dr James Prest, ANU lecturer and EDO Committee Member was the academic supervisor.

The EDO's website is an important community education tool. In addition to face to face client assistance, the online fact sheets provide an important resource to the ACT community. A significant number of clients who contact the EDO indicate they have accessed the fact sheet information and in certain circumstances have contacted EDO for further information or advice. New fact sheets were developed this year including fencing facts in emergency situations, how to cope with the Summernats, and common neighbourhood disputes regarding trees.

An up to date, easy to use and informative website is an essential tool for any office. The EDO would like express its huge appreciation to IT volunteer, Darryl Seto, for maintaining, updating and improving the website throughout this year. With Darryl's invaluable IT services, the EDO can quickly upload and make available to the public valuable information including law reform submissions, newsletters, fact sheets, events and the *ACT Environmental Law Handbook*.

The EDO attended many environmental forums held throughout the year on matters such as biodiversity offsets, whaling, strategic assessments and water law. Various forums are held throughout the year by an active number of organisations such as the Conservation Council ACT, the environmental centres at the ANU, Sydney University and the Environment Institute of Australia and New Zealand (EIANZ). The EDO also attends regular environment network meetings. This network ensures peak environmental groups can work cooperatively on environmental issues experienced in the ACT.

The EDO continued its cooperative working relationship with other community legal centres, the government sector and legal aid service providers in the ACT. The ACT community legal centres have regular meetings to exchange information and collaborate to ensure effective service provision. The EDO participates in the ACT Legal Aid Forum (ACTLAF) which provides a useful opportunity to collaborate with other legal service providers and assists with appropriate referrals and opportunities for all community legal centres in the ACT. This forum helps to ensure legal aid services are provided efficiently and effectively in the ACT. The EDO also participates in the *pro bono* and human rights stakeholder meeting attended by private law firms, the law society, legal aid and community legal centres. The purpose of such meetings is to provide a *pro bono* network to CLCs and to improve understanding between the private practitioners and community legal centres about services and initiatives offered and opportunities for *pro bono* assistance and referrals.



Law reform and policy

2012–13 saw a significant number of Bills and Strategies proposed by the ACT Government that have potential impact on the ACT's environmental and legislative framework and therefore the ACT environment. The EDO continued to be active in advocating for reform of environmental laws and this included making submissions to government about proposed legislation and policies affecting the environment. The EDO wrote submissions on a variety of matters including:

- submissions for the review of the *Environment Protection Act 1997* (ACT);
- submissions for the review of the *Draft Nature Conservation Strategy 2012–22*;
- submission to the Budget Consultation Process 2013;
- submission on the Gungahlin Strategic Assessment Draft Reports;
- submission on the *Administrative Decisions (Judicial Review) Amendment Bill 2013*; and
- submission to the ESDD regarding the *Heritage Legislation Amendment Bill 2013*.

All our submissions can be accessed on the EDO ACT's website.⁵

The EDO ACT also contributed to the Australian Network of Environmental Defender's Offices (ANEDO) submissions on national environmental law reforms including the Senate Inquiry on threatened species legislation and the Senate Inquiry into the impacts on health of air quality in Australia. All submissions are available on the ANEDO website.⁶

Office activities

A wide range of other activities need to be performed by staff to keep the EDO Office functioning and accountable. There is a lot of time devoted to the management aspect of the business and this includes the compliance with the conditions of funding, reporting to funding bodies, preparation of financial documents, preparation of grant applications, book-keeping, participation in the annual audit held pursuant to the professional indemnity insurance scheme, preparation of documents for NACLC accreditation, CLSIS data entry and supervising volunteers. The EDO could not operate to capacity without the assistance of its long term Office Administrator, June Weise, who gives many hours of her time over and above the 10 hours she is paid. The EDO is very grateful for June's ongoing support.

Conclusion

The EDO ACT looks forward to using its increased capacity to achieve its objectives and strategic priorities as well as continuing its engagement with the ACT Government and community concerning the environmental challenges that will arise as Canberra continues to grow. The EDO looks forward to expanding its relationships with members of the ACT community to assist them in engaging with the processes contained in the ACT's environmental legislative framework and to help achieve improved environmental outcomes. The EDO is also confident that it will be able to further its mandate in the important area of law reform and policy work and specifically to provide the ACT and Federal Governments with an authoritative and reliable voice for matters concerning legislative changes and their influence on the environment.

Camilla Taylor
Principal Solicitor
31 October 2013

⁵ www.edo.org.au/edoact

⁶ www.edo.org.au

CMR1.1 Centre Activity Summary Report

Centre Id: 1602

Current Date: 29/10/2013

Catchment: All

Report Period: 01/07/2012

Report version: CMR1.1 V4

to 30/06/2013

Funding Category: 0000-9999 All

All Data Totals for this Centre (Centre & Outreaches)

Clients

Total number of Clients		17
New Clients	14	
Repeat Clients	1	
Existing Clients	2	

Activities

Information Activities		32
Total Advice Activities		15
- with Public Interest dimension	1	

Cases

Total cases open during period (Open and New)		4
- Open at period start	2	
- New (opened in period)	2	
- Still open at period end (Ongoing)	2	
Total cases closed during period		2
- Minor Cases closed	2	
- Medium Cases closed	0	
- Major Cases closed	0	
Closed involving court representation	0	
Closed involving primary dispute resolution	0	
Closed test cases	0	
Closed with Public Interest Indicator	0	

Non-Casework Projects

Total projects open during period (Open and New)		128
- Open at period start	48	
- New (opened in period)	80	
- Still open at period end	58	
Open Community Legal Education Projects	29	
Open Law Reform & Legal Policy projects	15	
Total projects completed during period		70
- Minor projects completed	51	
- Medium projects completed	16	
- Major projects completed	3	
CLE projects completed	10	
LRLP projects completed	13	
Projects deferred during period		15

ENVIRONMENTAL DEFENDERS OFFICE (ACT) INC.

Treasurer's Report

One of the fundamental responsibilities of any Management Committee is to monitor the financial performance of the organisation. The EDO (ACT) is continually reviewing and improving its financial reporting strategies and systems to enable the Committee to make pro-active decisions about expenditure of grant and self generated income in line with its strategic directions. Key goals are:

- creating transparency around the true costs of providing services;
- improving the accuracy and timeliness of reporting; and
- providing meaningful information in response to Committee needs.

The 20012/13 financial year generated a deficit of \$1,748.71, which is a decrease from the \$1,394.71 surplus in the previous year. This deficit is due to a conscious decision by the board to commit extra funding to improving the organisation's resources and to supporting staff.

A significant increase in funding from the Australian Government, beginning July 2013, will allow the EDO (ACT) to develop and expand its services to the ACT and surrounding region. To this end, the organisation is reviewing key resource allocation that will allow it to increase its profile as a independent provider of high quality public interest environmental advocacy and legal education, as well as increase its ability to provide strategic environmental policy direction to governments. In addition, funding from the ACT Law Society has allowed the organisation to develop further opportunities to provide environmental services to the ACT community. The Committee and staff are grateful for the continued support from both these funding bodies as well as our members.

We have moved into the 2013/14 financial year with a balanced budget reflecting a significant increase in funding and decisions by the Committee to review and increase resources in key areas. The financial position of the EDO (ACT) remains healthy despite rising costs.

As always, we are grateful for the commitment of our members, volunteers and staff, without whose support we could not continue to operate.

As Treasurer, I would like to take this opportunity to thank June Weise, the EDO (ACT) Office Administrator, for her dedication and guidance in all things financial over the past year.

Lee Nelson
Treasurer

27 October 2013

Certificate of Compliance

This Schedule is established in respect of the 2012-2013 Financial Year

Organisation: Environment Defender's Office (ACT) Inc.

Contact Officer: June Weise Telephone: 62433460

The above-named Organisation certifies that:

- (i) The Funds have been used for the purpose for which they were provided;
- (ii) The Terms and Conditions of this Agreement have been met; and
- (iii) The Audited Financial Statements in respect of the Funds have been certified by a person who is registered as an auditor in accordance with the Corporations Act 2001 and are attached, and
- (iv) Salaries and allowances paid to people employed using the Funds are in accordance with award salary rates or the general rates in force at the Organisation.

SIGNED for and on behalf of the

Environment Defender's Office (ACT) Inc.

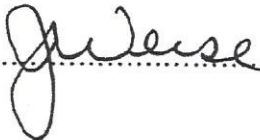
by

.....



) Johanna Jaireth

in the presence of.....



)

JUNE WEISE

**ENVIRONMENTAL DEFENDERS OFFICE (ACT) INC.
COMMITTEE'S REPORT**

Your committee members submit the financial statements of the Environmental Defenders Office (ACT) Inc. for the financial year ended 30 June 2013.

Committee Members

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

K Chambers	1 July 2012-30 June 2013
M Swainson	1 July 2012- 2 December 2012
L Nelson	1 July 2012-30 June 2013
N-L Scherger	1 July 2012-30 June 2013
R Manderson	1 July 2012-30 June 2013
H Jaireth	1 July 2012-30 June 2013
A Collins	1 July 2012-30 June 2013
C Hayes	1 July 2012-30 June 2013
S Bell	1 July 2012-30 June 2013
P Foo	1 July 2012-30 June 2013
B Fay	1 July 2012-30 June 2013

Principal Activity

The principal activity of the Environmental Defender's Office (ACT) Inc. during the financial period has been the provision of a public legal aid service on environmental matters.


Significant Changes

No significant change has occurred in the nature of the Environmental Defender's Office (ACT) Inc.'s activities during the financial period.

Operating Result

The operating loss was -\$1,748.71

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


Johanna Jaireth
Committee member (Chair)


Lee Nelson
Committee member (Treasurer)

Dated this day of October 2013.

Rosenfeld, Kant & Co.

Chartered Accountants

Auditor's Certification

Name of Organisation: Environmental Defenders Office (ACT) Inc

Financial Year Period: 01/07/2012 to 30/06/2013

I hereby certify that:

- (a) I am not a principal, member, shareholder, officer, employee or accountant of the Organisation or of a related body corporate as defined in section 9 of the Corporations Act 2001;
- (b) In my opinion, the attached financial statements which comprise a Statement of Financial Position, a Statement of Comprehensive Income (previously known as a Statement of Financial Performance), and Notes to the Financial Statements of the above-mentioned Organisation ('the Organisation'), and, if general purpose reports are provided, a Statement of Cash Flows, for the stated Financial Year Period are:
- based on proper accounts and present true and fair view of the Organisation's financial position and financial performance in accordance with applicable Accounting Standards and other mandatory professional reporting requirements in Australia, and
 - in accordance with the terms and conditions of the Agreement between the organisation and Commonwealth of Australia, a copy of which has been made available to me, in relation to the provision of community legal services.
- (c) The fourth quarter CLSIS Funds Report, containing details of the Organisations transactions for the financial year, including audit adjustments, and the Organisation's grant position at the beginning and end of the financial year is provided in respect of funds provided in accordance with the Terms and Conditions of the Agreement referred to in b.ii above for all Funding Categories.

This is an unqualified audit report.

Unless written under separate cover, I hereby further certify that, in my opinion, there is no conflict of interest between myself and the Organisation or its Management Committee.

AUDITOR DETAILS

Full Name: Gary Williams

Name of Company (if applicable): Rosenfeld Kant & Co

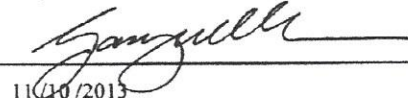
ACN or ABN Number: ABN: 74 057 092 046

Registered Auditor: If Yes:

Yes No

Registration No.: 4019

Signature:



Date:

11/10/2013

ABN: 74 057 092 046
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**ENVIRONMENTAL DEFENDER'S
OFFICE (ACT) INC.**

ABN 32 636 009 247

**FINANCIAL REPORT
FOR THE YEAR ENDED**

30 JUNE 2013

ENVIRONMENTAL DEFENDER'S OFFICE (ACT) Inc.**Profit and Loss**

	2012-13	2011-12
INCOME		
Commonwealth Grants	47,948.00	46,452.00
Law Society Grant	30,293.00	
Interest	4,078.54	4,669.81
Membership	580.00	375.00
Fundraising and Donations	1,315.00	1,045.00
ACT Environmental Handbook	0.00	647.73
Handbook Postage	0.00	63.64
Sundry Income	800.18	0.00
TOTAL INCOME	85,014.72	53,253.18
EXPENSES		
Salary Policy Officer	0.00	7,295.61
Salary Solicitor	54,661.95	14,689.63
Salary Administrator	13,448.67	13,096.17
Superannuation	5,694.41	3,501.36
Workers' Compensation	687.00	822.96
Rent	4,363.68	4,363.68
Repairs and maintenance	709.08	649.09
Training	518.18	0.00
Employment Advertising	0.00	4,291.48
Communications	94.87	408.04
Office Supplies	450.25	551.26
Postage	288.27	332.86
Office Equipment > \$100	161.82	0.00
Insurance (Not WC)	198.02	120.91
Audit	90.91	90.91
Bank Fees	151.90	180.21
Registrar General Fees	36.00	35.00
Membership Fees	529.99	617.27
Practicing Certificate	2,090.92	0.00
Travel	860.88	0.00
Advertising and Publicity	1,136.36	0.00
Forum costs	420.27	418.18
Meeting Expenses	61.82	101.36
Sundry Expenses	19.68	0.00
External Activities Expenses	88.50	
Depreciation-Computer Equipment	0.00	292.48
TOTAL EXPENDITURE	86,763.43	51,858.46
NET PROFIT/LOSS	1,748.71	1,394.72

ENVIRONMENTAL DEFENDER'S OFFICE (ACT) Inc.

Balance Sheet

	2012-13	2011-12
ASSETS		
Current Assets		
Cheque Account	21,617.64	9,083.36
Petty cash	100.00	100.00
Were Cash Trust	43,145.69	51,614.45
Term deposit	65,993.81	63,452.72
TOTAL CURRENT ASSETS	130,857.14	124,250.53
Fixed Assets		
Computer Equipment	0.00	0.00
TOTAL FIXED ASSETS	0.00	0.00
TOTAL ASSETS	130,857.14	124,250.53
LIABILITIES		
Current Liabilities		
Provision for LSL	2,708.65	2,295.36
Provision for Recreation		
Leave	5,263.30	1,027.24
Grant in Advance	65,837.00	64,852.00
PAYG Liability	3,132.88	1,044.88
Superannuation Liability		549.74
GST Liability	749.13	-433.58
TOTAL CURRENT LIABILITIES	77,690.96	69,335.64
NET ASSETS	53,166.18	54,914.89
EQUITY		
Retained Earnings	54,622.95	53,228.23
Current Year earning	-1,748.71	1,394.72
Historical balancing	291.94	291.94
TOTAL EQUITY	53,166.18	54,914.89

Environmental Defender's Office ACT
Cash Flow from Operating Activities
 As of June 2013

	2012-2013	2011-2012
CASH FLOWS FROM OPERATING ACTIVITIES		
Grants received	78,241	46,452
Other income received	6,774	6,801
Staff expenses paid	-74,492	-39,406
Rent paid	-4,364	-4,364
Other expenses paid	-7,908	-8,089
Net cash provided by operating activities	-1,749	1,395
CASH FLOWS FROM INVESTING ACTIVITIES		
Net cash used in investing activities	-1,749	5,862
Net increase/(decrease) in cash held	30,339	23,732
Cash at 1 July 2013	130,857	
Cash at 1 July 2012		100,518
Opening/Closing Cash at 30 June	100,518	124,250

**ENVIRONMENTAL DEFENDER'S OFFICE (ACT) Inc.
Income and Expenditure Statement (CLSP) Format**

	2012-13	2011-12
1. Income and Expenditure		
NET SURPLUS/DEFICIT FROM PREVIOUS YEAR		
Surplus/Deficit from previous year	1,394.72	0.00
Approved Expenditure fro Surplus		0.00
Net Surplus/deficit from previous year	1,394.72	0.00
CLSP INCOME		
C'wth	47,948.00	46,452.00
State		
Service Generated Income	6,773.72	6,801.18
Total Income	54,721.72	53,253.18
CLSP Genral Services Income	56,116.44	53,253.18
CLSP EXPENSES		
Salaries	37,817.62	35,081.41
Superannuation	5,694.41	3,501.36
On costs	2,777.92	822.96
rent	4,363.68	4,363.68
Repairs and maintenance	709.08	649.09
Training	518.18	0.00
Staff Recruitment	0.00	4,291.48
Communications	94.87	408.04
Office Overheads	738.52	884.12
Insurance (Not Workers' Com)	198.02	120.91
Finance and Accounting Fees	278.81	306.12
Library, Resourcs & Subcriptions	529.99	617.27
Travel	860.88	0.00
Programming and Planning	1,618.45	519.54
Client Disbursements	88.50	
Minor Equipment	161.82	0.00
Depreciation	0.00	292.48
Other	19.68	
Salary and related Expenses	46,289.95	39,405.73
Total Operating expenses	10,180.48	12,452.73
Total CLSP Expenses	56,470.43	51,858.46
OTHER INCOME		
Total Funds Received from Other Bodies	30,293.00	28,931.00
Total Funds Received from Other Bodies for		
non-CLSP CLSIS Activities		

**ENVIRONMENTAL DEFENDER'S OFFICE (ACT) Inc.
Income and Expenditure Statement (CLSI) Format**

	2012- 13	2011-12
Less Actual capital Expenditure in Current Year	-	
Surplus/deficit for Next Year	353.99	1,394.72
2. Assets acquired with Grant Funds During Financial Year 2012-13		
Land	0.00	0.00
Real Property	0.00	0.00
(Other)	0.00	0.00
Total Capital	0.00	0.00
3. Future Contingency Amount	0.00	0.00

ENVIRONMENTAL DEFENDER'S OFFICE (ACT) Inc.
Income and Expenditure Statement (CLSP) Format

	2012-13	Budget	variance	% over year
1. Income and Expenditure				
NET SURPLUS/DEFICIT FROM PREVIOUS YEAR				
Surplus/Deficit from previous year	1,394.72	1,394.72		
Approved Expenditure fro Surplus	0.00			
Net Surplus/deficit from previous year	1,394.72	1,394.72		
CLSP INCOME				
C'wth	47,948.00	47,288.00	660.00	95,236.00
State			0.00	0.00
Service Generated Income	6,773.72	4,667.22	2,106.50	145.13
	54,721.72	51,955.22	2,766.50	105.32
Total Income	56,116.44	53,349.94		
CLSP EXPENSES				
Salaries	37,817.62	33,592.12	-4,225.50	112.58
Superannuation	5,694.41	5,624.14	-70.27	101.25
On costs	2,777.92	2,224.00	-553.92	124.91
rent	4,363.68	4,363.68	0.00	100.00
Repairs and maintenance	709.08	700.00	-9.08	101.30
Training	518.18	1,000.00	481.82	51.82
Staff Recruitment	0.00	200.00	200.00	0.00
Communications	94.87	550.00	455.13	17.25
Office Overheads	738.52	2,060.00	1,321.48	35.85
Insurance (Not Workers' Com)	198.02	200.00	1.98	99.01
Finance and Accounting Fees	278.81	376.00	97.19	74.15
Library, Resources & Subscriptions	529.99	1,000.00	470.01	53.00
Travel	860.88	500.00	-360.88	172.18
Programming and Planning	1,618.45	580.00	-1,038.45	279.04
Client Disbursements	88.50	0.00	-88.50	100.00
Minor Equipment	161.82	200.00	38.18	80.91
Depreciation	0.00	0.00	0.00	
Other	19.68	180.00	160.32	10.93
Salary and related Expenses	46,289.95	41,440.26	-4,849.69	338.73
Total Operating expenses	10,180.48	53,349.94	43,169.46	19.08
Total CLSP Expenses	56,470.43	53,349.94	-3,120.49	105.85
OTHER INCOME				
Total Funds Received from Other Bodies	30,293.00	30,293.00	0.00	100.00
Total Funds Received from Other Bodies for non-CLSP CLSIS Activities				

ENVIRONMENTAL DEFENDER'S OFFICE (ACT) Inc.
Income and Expenditure Statement (CLSI) Format

	2012- 13	Budget	variance	% over year
Less Actual capital Expenditure in Current Year	0.00			
Surplus/deficit for Next Year	353.99			

2. Assets acquired with Grant Funds During Financial Year 2012-2013				
Land	0.00	0.00		
Real Property	0.00	0.00		
(Other)	0.00	0.00		
Total Capital	0.00	0.00		
3. Future Contingency Amount	0.00			