

ANNUAL REPORT

2013-14



PROTECTING THE ENVIRONMENT THROUGH THE LAW

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

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Canberra ACT 2601

Telephone: (02) 6243 3460
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www.edoact.org.au

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

It has been a privilege and a challenge to chair the EDO (ACT)'s Management Committee over the past difficult year, during which time the Commonwealth's funding to the Australian Network of Environmental Defenders' Offices (ANEDO) was cancelled peremptorily. For much of this time, many of our supporters have reflected on the question 'why should the Commonwealth and others provide funding for ANEDO, including the EDO (ACT)?' Why should the Commonwealth fund services that may challenge government and industry decisions? Well, there are abundant good reasons, and here are a few:

- Future generations of all life forms desperately need champions, and ANEDO is pleased to share that role.
- The public interest in sustainable development should be defended in cost-effective and expert ways, as is done by ANEDO. The Productivity Commission agrees, recommending in its 2014 draft report on *Access to Justice Arrangements* that funding to EDOs to provide access to justice in public interest environmental litigation matters is warranted.
- Lack of access to legal advice and representation is a market failure that ANEDO can rectify. Access to justice can be facilitated if high quality community legal services are affordable or free for members of the community who would otherwise be unable to pay commercial rates for legal advice.
- The community at large needs to understand the legal implications of climate change, biodiversity conservation, ecosystem services and heritage protection, amongst other environmental law issues, and to be empowered to make informed decisions, including whether to make representations or initiate legal action where that is warranted and lawful for sustainable development.
- A financial base enables ANEDO to give voice to the norms and principles of international environmental and human rights law that Australian governments purport to adhere to, and claim to implement in domestic law. Would ANEDO's advice to clients and advocacy seem 'anti-development' if normative implementation were not so deficient?
- There are numerous heads of constitutional power available to governments who wish to fund community legal centres, including ANEDO. The High Court decision in *Williams v Commonwealth* [2014] HCA 23 (*Williams [No 2]*) is not a credible excuse for withdrawing funding. The Commonwealth funds other legal aid services under s 96 of the Constitution and payments to the states under National Partnership Agreement on Legal Assistance Services.
- Liberal democracies are supposed to be based on pluralist contests about ideas, not the stifling of dissent through punitive government policies and ill-informed criticism by vested corporate and political interests.
- The freedom of communication that is protected under international human rights law is not a forgotten right for EDOs. We have enjoyed the freedom to advocate for sustainability and the rule of law for almost two decades. Funding constraints has only recently seriously undermined that right.
- Everyone who works for, or volunteers with ANEDO, brings with them a commitment to sustainable development and to pursuing innovation and better ways of living more lightly on the earth. This is not a common disposition. Governments continue to subsidise a range of unsustainable industries and cultural practices. Funding ANEDO can help redress this dominant social imbalance.



Another very good reason for the EDO(ACT) to be funded is that it employs our solicitor and CEO, who performs an extraordinary community service. Since her appointment in May 2012, Camilla has led the development of high quality submissions, run educational events, produced publications and provided legal advice, and refreshed the EDO's branding, website and social media presence.

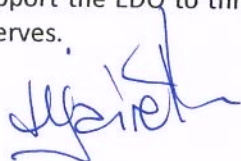
Others also deserve thanks. Camilla has been helped by capable volunteers, a tiny staff, and had guidance from the Management Committee and the broader ANEDO. The EDO's part-time Administrator (June Weise) and part-time Fundraising and Communications Officer (Michael Mazengarb) have served with distinction. Both, sadly, will be leaving the EDO; June after more than ten years of being the administrative backbone of the organisation, and Michael after less than twelve months. We benefited so much from Michael's political and technical expertise that it seems like much longer. I also thank our volunteer webmaster Daryl Seto for implementing our website redesign, and keeping it up to date, and our much appreciated student volunteers for helping Camilla with submissions and other tasks:

- Virginia Trescowthick
- Clara Wilson
- Lee Weeks-Randall
- Peta Rogers
- Claire Reynolds
- Rebecca Clark
- Jess Ward
- Gabrielle Ho
- Annabel Baker
- Annarose O'Ryan
- Rosemary Listing
- Victoria Draudins
- Anna Whitton
- Brodie Ferson
- Kelly Jay
- Zita McGregor

Of my volunteer colleagues on the Management Committee, our Secretary, Catherine Hayes, carried the heaviest load, very capably organising meetings and preparing agendas and minutes. Our Treasurer, Lee Nelson, with June Weise, produced several budgets and scenario papers on possible responses to our predicament, which was an essential but unwelcome distraction. Other members of the Committee also contributed to our strategic planning and fundraising, namely:

- Pam Foo
- Kasy Chambers
- Roland Manderson
- Andrew Collins
- Byron Fay
- Susan Bell
- James Prest
- Richard Merzian
- Fiona Lord
- Harkiran Narulla

I am pleased to pass the baton after serving two terms and having provided countless hours of *pro bono* support in submission drafting and reviewing, community presentations, and advocacy. I look forward to continuing to support the EDO to thrive by drawing on new and fresh sources of support that its high quality work deserves.



Hanna Jaireth, Chair
7 October 2014

CEO'S REPORT¹

Withdrawal of funding

Before the 2013 Christmas-New Year holiday period the newly elected Federal Government made the surprise announcement that it was terminating its funding agreements with all EDOs nationally. For many of the EDOs including the EDO (ACT) ('the EDO ACT'), the Commonwealth funding was the backbone of our financial viability and its withdrawal without any prior consultation or notice caused significant consequences to the EDO's ability to deliver its core objectives involving important legal and community services. Importantly, the withdrawal threatened the very existence of public interest environmental law in Australia.

The announcement also put the future of the EDO ACT into jeopardy, a corollary of which was that our small office had to switch its focus from thriving expert legal community service to an organisation where fundraising efforts became the top priority and, at times, its sole focus.

The impact of the funding withdrawal stood in stark contrast with the expectations of the EDO ACT when I wrote the Annual Report last year. In the 2012–13 year I gratefully reported that the Attorney-General's Department, had entered into a new funding agreement with the EDO ACT until 2017 and had provided for a long awaited increase in its funding.

New funding had enabled this busy office to operate on a full time basis as was appropriate to the demand for its services and staff commitment; it alleviated the constant strain that was placed on the Office as it attempted to fulfill the objectives of our Strategic Plan and its priorities.

The application of the new funding to expand the office meant that we could increase our effectiveness and efficiency to fulfill our mandate of providing legal assistance in environmental law matters to the ACT community and region. It enabled the employment of a part time Policy and Communications Director; the recruitment process for which was all but complete when Commonwealth funding was withdrawn, requiring a re-design of the position. The EDO's staffing profile is discussed below.

The EDO ACT wishes to thank the former Commonwealth Attorney General, the Hon. Mark Dreyfus QC MP, for his insights concerning the value of the services provided by community legal centres.

Ongoing funding and other support

On a more positive note, the ACT Law Society continued its funding of the EDO ACT in the 2013–14 year. The EDO ACT is very grateful for the ongoing support the Law Society provides.

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

This support has been an important factor in ensuring the EDO ACT can continue to provide services to the ACT community.

The EDO ACT is co-located with Legal Aid ACT and we are also grateful for the generous and continued support offered by Legal Aid ACT including not only the use of their excellent office facilities, but provision of information technology and communications services under a semi-commercial leasing arrangement. This support allows the EDO ACT 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.

The EDO would also like to thank its members and generous donors for their continued and valuable support.

The future of Australia's unique network of environment-focused community legal centres is at risk, especially the smaller offices including the EDO ACT. This comes at a time when the natural environment faces unprecedented mining-related and other major development pressure. It is also a time when climate action in Australia is being dismantled, coal-seam gas developments are on the rise and increasingly opposed by threatened rural communities, the Great Barrier Reef faces unprecedented threats and may be added to UNESCO's World Heritage in Danger list,² and the Tarkine in Tasmania is at real risk. The Federal Government seem intent on handing back environmental powers to the states and territories,³ and this abdication of hard-fought for Commonwealth powers effectively delegates compliance with Australia's international obligations to the states and territories with likely damaging outcomes and threats to matters of national environmental significance (MNES).

In the past, individuals and community groups, represented by EDOs, have succeeded in improving environmental outcomes. EDOs are often the only affordable legal option for communities and landholders who find themselves confronted with major development projects including government planning policies that threaten farmland, local biodiversity, indigenous culture, clean waterways and other public interests and human rights.



The EDOs provide a vital access to justice service for people who wish to obtain expert legal advice on public interest environmental law matters. Publicly funded EDOs fill the gap where most public-minded citizens do not otherwise have the means to engage private law firms, providing expert legal advice for little or oftentimes no cost. This service will be lost if the EDOs have to close.

Despite, and at times as a consequence of the Federal Government's seeming neglect of climate action, environmental issues remain a high concern to many Canberrans. 2013–14 saw a continued interest not



² <http://whc.unesco.org/en/danger/>

³ <http://www.environment.gov.au/topics/environment-protection/environment-assessm>

only in the environmental and planning issues in the ACT and its region, but in the detail of many policies and pieces of environmental legislation, which the ACT Government is reviewing and amending or replacing.

Raising the profile of the EDO

In response to our funding crisis, the EDO took significant steps towards raising its profile and improving its fundraising capabilities to access alternative sources of funding. These included engaging the services of Michael Mazengarb, our fundraising and communications consultant, implementing an expanded fundraising strategy, organising several fundraising events, identifying sources of funding, and lodging applications. We also engaged more with the mainstream media.

The EDO ACT is part of the Australian Network of Environmental Defenders Offices (ANEDO) and the funding cut resulted in an increased and improved co-ordination across ANEDO. EDO ACT is also a member organisation of the National Association for Community Legal Centres (NACLC). The EDO is most grateful to NACLC for preparing the 'Environment Matters' brochure in 2014 which focuses on the grassroots work performed by each EDO office across Australia and was used as a tool to aid marketing and fundraising.

As a result of the profile raising and fundraising efforts, in 2013–14, the EDO ACT membership grew significantly. We became a more active voice on social media by creating a new Facebook profile and a Twitter account, increasing our communication of environmental news to our members and supporters. Our website and logo was redesigned to ensure it is more attractive and user friendly. As a result, the profile of the EDO was raised so that more members and supporters not only became aware that their EDO was in danger, but we also increased awareness in the broader community, which led to more frequent community access to the EDO's resources and educational materials.

EDO services

The EDO provides three main services to the ACT community: legal advice and assistance, community legal education and law reform.

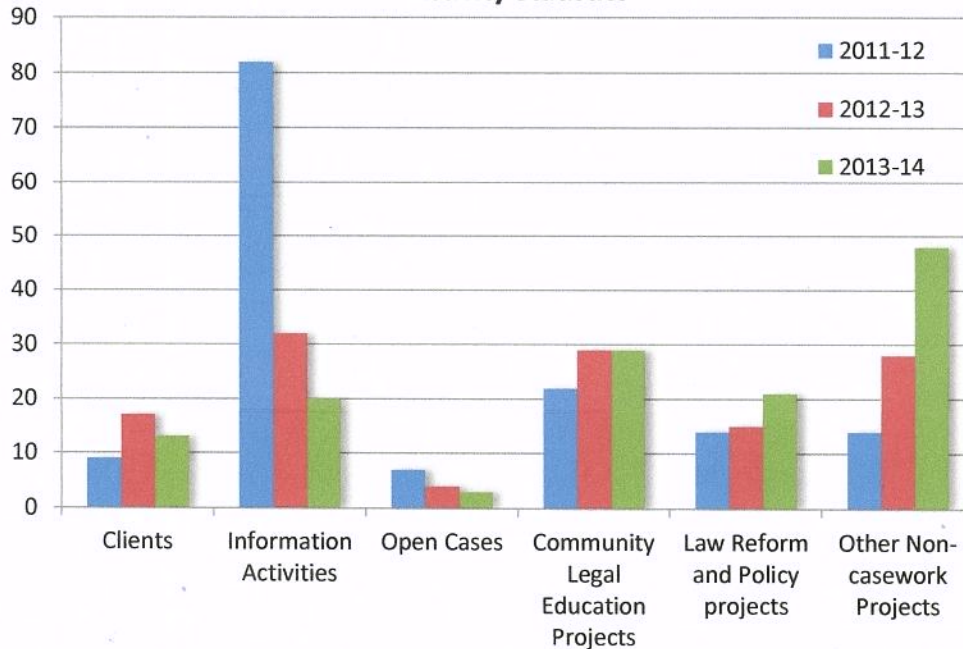
Legal advice and casework

As with previous years, there has been an increasing demand for EDO services, namely environmental law advice and information about the environmental issues facing the ACT community, specifically as a consequence of the increasing planning and development pressures, together with increasing concerns about climate change.

In 2013–14 advice was sought by a wide variety of individuals, community groups and environment organisations. The EDO assisted these clients by providing lengthy written advice, one-off legal advices, information, and ongoing casework assistance. This advice and information was delivered by telephone, face to face, and in written form.

Statistical detail of EDO activities including legal advice, information and casework was recorded on the Community Legal Services Information System a summary of which is explained in Figure A.

**Figure A - Environmental Defenders Office ACT
Activity Statistics**



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, the development approval process, including EPBC approvals and the use of offsetting schemes in relation to MNES, access to information and the accountability of environmental and planning decision makers.

In addition to this, the EDO provided advice on a range of subject matters including tree protection, heritage landscapes and heritage protection, freedom of information requests, noise, air and water pollution, the proposed solar farms for ACT and its region, the operation of the ACT Strategic Assessments in both Molonglo and Gungahlin, and energy efficiency ratings (EERs) for residential buildings.

Advice was also given in relation to changes to environmental legislation. For example the EDO ACT participated in many working groups in relation to the long awaited review of the *Nature Conservation Act 1980*, and written advice was provided to national environmental organisations regarding biodiversity and planning laws in the ACT.

The EDO ACT also provided 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 ACT strives to assist the community in understanding the legal processes and requirements for such projects.

Case study of legal service provision

NCCC v ACTPLA; Canberra District Rugby League Football Club Ltd

The EDO assisted a Canberra community group in a matter before the ACT Civil and Administrative Tribunal (ACAT) in relation to a challenge to the group's right to be heard on the substantive matter. The EDO provided advice and prepared the group's pleadings, including written submissions on standing and the statement of facts and contention. The expert assistance the EDO provided enabled the matter to be heard in a timely fashion and in admissible form. The group won its right to be heard but was unsuccessful on the merits of its application.

Community legal education and community development work

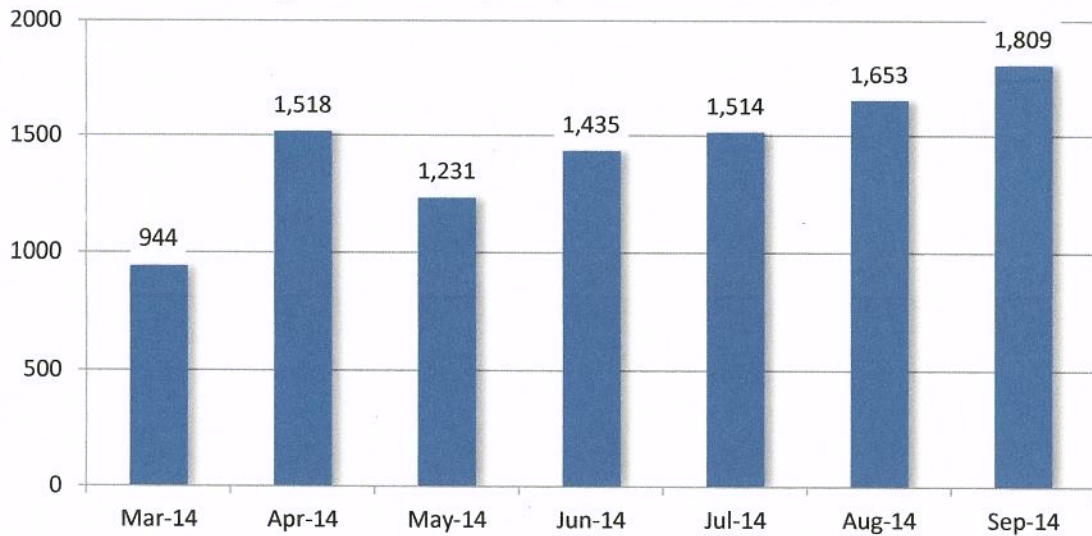
In 2013–14, the EDO ACT continued its important community legal education and community development work. The EDO ACT provided the community with easy to read online information about the ACT environmental laws. The EDOs up to date website contains the comprehensive *ACT Environmental Law Handbook* (2nd ed. 2009) as well as fact sheets on the areas that attract the highest level of inquiry. The office also provides quarterly newsletters, regular environmental news updates and community forums.

An up to date, easy to use and informative website is an important community education tool and the EDO's website is maintained with the aim of keeping it informative and user friendly. This year the EDO ACT's website was completely renewed. The EDO ACT is very grateful to Spectrum Graphics who did a fantastic job at creating the EDO ACT's new logo depicting the ACT flower, the Royal Bluebell, and providing a complete redesign of the EDO ACT website.

The EDO would also like express enormous appreciation to our IT volunteer, Darryl Seto, for maintaining the website throughout this year and for assisting in the development of the new website.

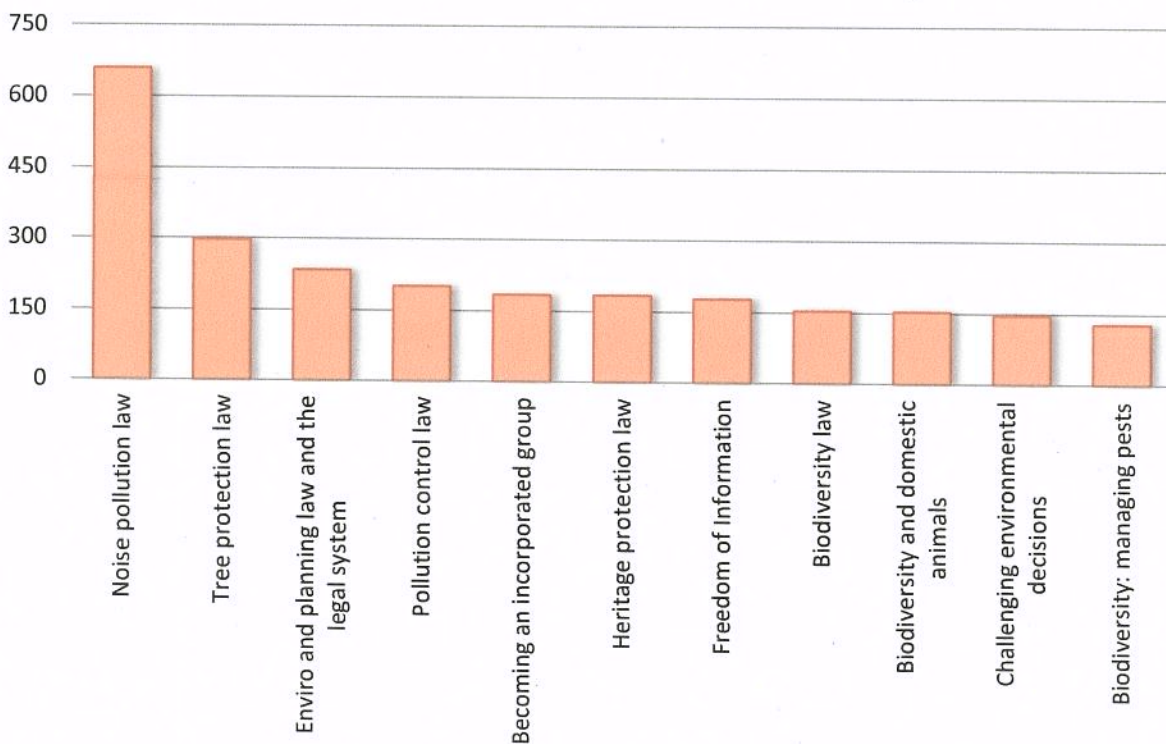
Since the EDO ACT launched the new website in March 2014, it has received an average of around 1,400 unique visitors each month. [Figure B](#) illustrates the monthly statistics.

Figure B - Monthly Unique visitors to EDO ACT Website



The online fact sheets are an important resource for the ACT community and it continues to be the most utilised feature of the EDO ACT website. The factsheets focus on ACT environmental and planning laws. [Figure C](#) illustrates online interest by subject matter.

Figure C - EDO ACT Factsheet Downloads - 6 months to August 2014



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 as well as NELA's monthly *Bulletin*.

The EDO continued its cooperative working relationship with environmental organizations, the ACT community legal centres, the government sector and legal aid service providers in the ACT. The EDO ACT also continues to build relationships with other key stakeholders and works closely with community groups including ACT environmental networks, community councils and individuals.

Community seminars

In September 2013 we held a Stakeholders Forum for the World Parks Congress 2014 (WPC) at the Australian National Botanic Gardens. The WPC will be held in November 2014 in Sydney. We held a joint community forum with the Conservation Council ACT – Planning and Environmental Dispute Resolution at the ACAT. We also hosted a sell-out symposium at the ANU on the International Court of Justice's historic judgment in the case of *Whaling in the Antarctic (Australia v Japan)*. Mark Dreyfus QC MP, Professor Don Rothwell and Minister Shane Rattenbury generously donated their time to speak about their unique perspectives on the international and political issues the dispute raises, and in the case of Minister Rattenbury, his experience as team leader for the Global Oceans campaigns during his time with Greenpeace.

Law reform and policy

In 2013-14 the EDO ACT continued to contribute reliable and balanced law reform and policy advice to both the ACT and Federal Governments on how amendments to legislation could provide the opportunity to effect certainty and improved environmental outcomes.

Federal Government

There were many changes to the environmental policy in the federal sphere, particularly the arrangements put in place to establish the so called 'one stop shop' policy for the assessment and approval (or refusal) actions that may have a significant impact on MNES; the 'direct action' policy; dismantling of the Climate Commission and repeal of the carbon tax, to list just a few of the weak policy responses by the Federal government in relation to the urgent issues of climate change and biodiversity loss.

The EDO participated in a round table meeting with the Federal Minister for the Environment, the Hon Greg Hunt, together with other stakeholders, where the new policies were presented, but discussion was limited. The EDO ACT also met with staff from the Environment Department to discuss our concerns in relation to what the Commonwealth intends to do with the EPBC Act, its standards and assurances. ANEDO issued a statement expressing concern about Minister Hunt's 'one stop shop' for environmental approval processes.

The EDO ACT contributed to a range of ANEDO submissions by either authoring or providing ACT-specific text, including:

- the National Water Commission's Triennial Assessment;
- the Joint Select Committee Inquiry into the Development of Northern Australia;
- the Senate Inquiry into the impacts on health of air quality in Australia
- the Senate Inquiry into national standards for offsets;
- the Commonwealth's review of the RET;
- to the Competition Policy Review Issues Paper;
- the Productivity Commission's Inquiry into Access to Justice;
- supplementary submissions to the Productivity Commission's Inquiry into Access to Justice Arrangements.

EDO ACT also appeared on behalf of ANEDO at the Productivity Commission's Canberra hearing regarding their Inquiry into Access to Justice. All ANEDO submissions are available on the ANEDO website.⁴

ACT

2013 –14 saw a number of Bills and strategies proposed by the ACT Government that have potential impact on the ACT's environmental and legislative framework and the EDO participated in a number of workshops, forums and roundtable discussions attended by Canberra's environmental organizations, government and stakeholders. Importantly an Exposure Draft for the *Nature Conservation Bill 2013* was tabled. A less welcome development was that the ACT Government, along with other state and territory governments, entered into an Agreement with the Commonwealth to undertake bilateral arrangements for both the assessment and approval processes.⁵



The EDO wrote submissions on a variety of matters including:

- the *Draft ACT Water Strategy 2013*;
- the *Nature Conversation Bill 2014 (ACT)* both in relation to the Exposure Draft and a joint submission with the Conservation Council;
- the *Heritage Amendment Bill 2013* and

⁴ www.edo.org.au

⁵ <http://www.environment.act.gov.au/>

- the draft Bilateral Assessment Agreement between the Commonwealth of Australia and the ACT.

All EDO submissions can be accessed on the EDO ACT's website.⁶

Staff

Before October 2013 the office operated on a part time basis and thereafter full time in response to the time required to meet demand for services and operational management activities. This was made possible by the temporary increase in Federal funding. In 2013–14 the EDO employed three staff Camilla Taylor, Principal Solicitor and CEO, June Weise, Administrator (part-time) and Michael Mazengarb, Fundraising and Communications Officer (part-time). EDO ACT is grateful to Michael for his talents in creating an all important online presence for the EDO ACT as well as setting up effective and efficient tools and systems through which we can now communicate the importance of our work and advice.

The EDO enjoyed a supportive and dedicated Management Committee which continued to meet regularly and worked very effectively inter-sessionally. All of the members of the Management Committee contributed during the year to the EDO's successful operation, but special thanks are due particularly to the EDO office bearers who consistently provide an enormous amount of dedication, namely our Chairperson Dr Hanna Jaireth, the Vice-Chair Byron Fay, Secretary, Catherine Hayes and Treasurer, Lee Nelson.

The EDO could not operate to capacity without the generous assistance of its long term Office Administrator, June Weise, who gives many hours over and above her 'part-time' employment. The EDO is very grateful for June's support.

Volunteers and interns

The EDO could not provide its broad service nor be as effective without the constant support of the many unstintingly reliable and dedicated EDO volunteers and interns. EDO volunteers are predominantly university students, members of the EDO's Management Committee and members of the legal profession. I note the 2013-14 volunteers were mentioned in the Chair's report.

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 its extremely limited staffing resources. In 2013–14 the EDO continued its volunteer program with the Australian National University (ANU) and the University of Canberra (UC) providing ongoing opportunities for students to work as interns. An environmental law clinic initiative was formally proposed to the ANU during the

⁶ www.edo.org.au/edoact

year, and is the subject of ongoing consideration. The EDO also entered discussions with UC regarding possible internship and clinical opportunities for UC law students.

Office activities

A wide range of additional operational and management activities need to be performed by staff to keep the EDO ACT functioning and accountable. A lot of time is devoted to the management aspect of the business and this includes compliance with the conditions of funding, reporting to funding bodies, data management, preparation of financial documents, book keeping.

Additional reporting work is required as part of various agreements, including participation in the annual audit held pursuant to the professional indemnity insurance scheme, Community Legal Services Information System (CLSIS) data entry, reporting to the AGs and supervising volunteers. This year the EDO ACT achieved accreditation pursuant to the NACLC Accreditation Scheme.

Conclusion

The EDO ACT will continue to be an important voice for the environment and is confident that it will adjust to the new landscape in which it finds itself. It will continue to seek replacement funding and will attain a level of financial support that will enable it to become financially viable and independent.

The EDO ACT looks forward achieving 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 ACT intends to continue 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 will be furthering 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 and CEO

28 October 2014

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 20013/14 financial year generated a profit of \$354, which is a improvement from the \$1,749 deficit in the previous year. This increase is due to a conscious decision by the Committee to limit expenditure, as government cuts cast a long shadow over the continuing financial viability of services like those of the EDO.

The organisation is continually reviewing its financial options and key resource allocation that allow it to continue as a independent provider of high quality public interest environmental advocacy and legal education, as well as provide strategic environmental policy direction to governments. The Committee and staff are grateful for the continued support from the ACT Law Society and our members.

We have moved into the 2014/15 financial year with a conservative budget reflecting a significant decrease in funding and decisions by the Committee to review resources in key areas. The financial position of the EDO (ACT) remains healthy despite funding cuts.

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 few years. June retired this year and will be missed by the staff, the Committee and myself in particular.



Lee Nelson
Treasurer

21 October 2014

**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 2014.

Committee Members

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

S Bell	1 July 2013-30 June 2014
K Chambers	1 July 2013-30 June 2014
A Collins	1 July 2013-30 June 2014
B Fay	1 July 2013-30 June 2014
P Foo	1 July 2013-30 June 2014
C Hayes	1 July 2013-30 June 2014
H Jaireth	1 July 2013-30 June 2014
F Lord	31 October 2013-30 June 2014
R Manderson	1 July 2013-30 June 2014
R Merzian	15 October 2013-30 June 2014
H Narulla	31 October 2013-30 June 2014
L Nelson	1 July 2013-30 June 2014
J Prest	1 July 2013-31 October 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 other than an increase in the fundraising activities due to the withdrawal of Commonwealth funding for which notice was given to the EDO ACT on 17 December 2013.

Operating Result

The operating profit was \$353.99.

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



Johanna Jaireth
Committee member (Chair)



Lee Nelson
Committee member (Treasurer)

Dated this 21 day of October 2014.

Certificate of Compliance

This Schedule is established in respect of the 2013-2014 Financial Year

Organisation: Environment Defenders' Office (ACT) Inc.

Contact Officer: Camilla Taylor 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 Defenders' Office (ACT) Inc.

by the Chair, Management Committee



) Johanna Jaireth

in the presence of ) LEE NELSON

Auditor's Certification

Name of Organisation: Environmental Defenders Office (Act) Inc

Financial Year Period: 1 July 2013 – 30 June 2014

I hereby certify that:

- (a) I am not a principal, member, shareholder, officer, employee or accountant of the Organisation or of a related body corporation 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 Financial Performance, a Statement of Cash Flows, and Notes to the Financial Statements of the above-mentioned Organisation ('the Organisation') for the stated Financial Year Period are:
- based on proper accounts and present fairly 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 dated 1st October 2005, 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: Rosenfeld Kant & Co

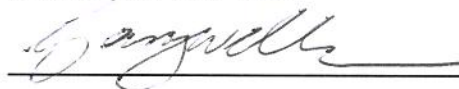
ABN Number: 74 057 092 046

Registered Auditor: *If yes:*

Yes **No**

Registered No: 4019

Signature:



Date: 13 October 2014

ABN: 74 057 092 046

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101 Grafton Street
Bondi Junction NSW 2022

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All correspondence to
PO Box 86
Bondi Junction NSW 1355
Australia



**ENVIRONMENTAL DEFENDER'S
OFFICE (ACT) INC.**

ABN 32 636 009 247

**FINANCIAL REPORT
FOR THE YEAR ENDED
30 JUNE 2014**

Environmental Defender's Office ACT

Balance Sheet [Last Year Analysis]

June 2014

	2013-2014	2012-2013
Assets		
Current Assets		
Cheque Account	28,993.55	21,617.64
Petty Cash	100.00	100.00
Were Cash Trust	0.00	43,145.69
Term Deposit	119,709.93	65,993.81
Trust Account	2,437.07	0.00
Total Current Assets	151,240.55	130,857.14
Total Assets	151,240.55	130,857.14
Liabilities		
Current Liabilities		
Provision for LSL	3,842.68	2,708.65
Provision For Annual Leave	5,672.10	5,263.30
Unearnt Grants	80,176.02	65,837.00
PAYG Liability	5,372.88	3,132.88
Superannuation Liability	2,089.57	0.00
GST Liability	567.13	749.13
Total Current Liabilities	97,720.38	77,690.96
Total Liabilities	97,720.38	77,690.96
Net Assets	53,520.17	53,166.18
Equity		
Retained Earnings	52,874.24	54,622.95
Current Year Earnings	353.99	-1,748.71
Historical Balancing	291.94	291.94
Total Equity	53,520.17	53,166.18

Environmental Defender's Office ACT

Profit & Loss [With Last Year]

July 2013 To June 2014

	2014	2013
Income		
Commonwealth Grants	103,591.23	47,948.00
Law Society ACT grant	16,938.98	30,293.00
Cheque Account Interest	15.52	6.21
Were Cash Trust Interest	4.31	1,531.24
Term Deposit	3,716.14	2,541.09
Membership	412.72	580.00
Donations	2,437.00	1,315.00
Fundraising	3,121.36	0.00
Sundry Income	427.50	800.18
Total Income	130,664.76	85,014.72
Expenses		
Salaries Solicitor Paid	68,457.44	50,526.32
Provision Solicitor Rec leav	5,543.54	4,135.63
Salaries Admin Paid	15,778.79	12,810.60
Provision Admin Rec Leave	1,639.68	224.78
Provision Admin LSL	1,134.03	413.29
Super Expense EDO Staff	8,308.80	5,694.41
Workers Compensation Insurance	779.57	687.00
Rent	5,497.26	4,363.68
R & M	763.64	709.08
Training	231.82	518.18
Employment Advertising	2,776.35	0.00
Internet	1,191.25	0.00
Telephone	81.81	94.87
Office Supplies	502.38	450.25
Postage	291.83	288.27
Printing - Publications	750.00	0.00
office equipment > \$100	178.18	161.82
Insurance (not Workers' Comp)	25.42	198.02
Audit	90.90	90.91
Bank Fees	270.19	151.90
Registrar General Fees	74.00	36.00
Law library	32.73	0.00
Membership Fees	525.45	529.99
Practising Certificate	1,088.34	2,090.92
Travel (Not Staff Training)	2,335.33	860.88
Advertising and Publicity	113.64	1,136.36
Forum Costs	2,182.06	420.27
Meeting Expenses	104.69	61.82
Seminars by EDO	2,318.46	0.00
Sundry Expenses	155.54	19.68
External Activities Expenses	0.00	88.50
Consultancy	7,087.65	0.00
Total Expenses	130,310.77	86,763.43
Net Profit/(Loss)	353.99	-1,748.71

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

1. Income and Expenditure	2014	2013
NET SURPLUS/DEFICIT FROM PREVIOUS YEAR		
Surplus/Deficit from previous year	-353.99	1,394.72
Approved Expenditure fro Surplus	-353.99	
Net Surplus/deficit from previous year	-353.99	1,394.72
CLSP INCOME		
C'wth	103,591.23	47,948.00
State		
Service Generated Income	10,134.55	6,773.72
Total Income	113,725.78	54,721.72
CLSP Genral Services Income	113,371.79	56,116.44
CLSP EXPENSES		
Salaries	75,614.50	37,817.62
Superannuation	8,308.80	5,694.41
On costs	1,867.91	2,777.92
rent	5,497.26	4,363.68
Repairs and maintenance	763.64	709.08
Training	231.82	518.18
Staff Recruitment	2,776.35	0.00
Communications	1,273.06	94.87
Office Overheads	1,722.39	738.52
Insurance (Not Workers' Com)	25.42	198.02
Finance and Accounting Fees	435.09	278.81
Library, Resources & Subscriptions	558.18	529.99
Travel	2,335.33	860.88
Programming and Planning	4,718.85	1,618.45
Client Disbursements	7,087.65	88.50
Minor Equipment		161.82
Depreciation		0.00
Other	155.54	19.68
Salary and related Expenses		46,289.95
Total Operating expenses	113,371.79	10,180.48
Total CLSP Expenses	113,371.79	56,470.43
OTHER INCOME		
Total Funds Received from Other Bodies	31,298.00	30,293.00
Total Funds Received from Other Bodies for non-CLSP CLSI Activities		

ENVIRONMENTAL DEFENDER'S OFFICE (ACT) Inc.

Income and Expenditure Statement (CLSI) Format

Less Actual capital Expenditure in Current Year		
Surplus/deficit for Next Year	0.00	-353.99
2. Assets acquired with Grant Funds During Financial Year 2013-14		
Land		0.00
Real Property		0.00
(Other)		0.00
Total Capital		0.00
3. Future Contingency Amount	0.00	0.00

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

	2013-14	Budget	variance	% over year
1. Income and Expenditure				
NET SURPLUS/DEFICIT FROM PREVIOUS YEAR				
Surplus/Deficit from previous year	-353.99	1,394.72		
Approved Expenditure fro Surplus	-353.99	1,394.72		
Net Surplus/deficit from previous year	-353.99	1,394.72		
CLSP INCOME				
C'wth	103,591.23	47,288.00	56,303.23	150,879.23
State			0.00	0.00
Service Generated Income	10,134.55		10,134.55	
			0.00	
Total Income	113,371.79	48,682.72		
CLSP EXPENSES				
Salaries	75,614.50	35,032.12	-40,582.38	215.84
Superannuation	8,308.80	5,900.00	-2,408.80	140.83
On costs	1,867.91	2,224.00	356.09	83.99
rent	5,497.26	4,363.68	-1,133.58	125.98
Repairs and maintenance	763.64	800.00	36.36	95.46
Training	231.82	500.00	268.18	46.36
Staff Recruitment	2,776.35	560.00	-2,216.35	495.78
Communications	1,273.06	200.00	-1,073.06	636.53
Office Overheads	1,722.39	1,200.00	-522.39	143.53
Insurance (Not Workers' Com)	25.42	200.00	174.58	12.71
Finance and Accounting Fees	435.09	326.00	-109.09	133.46
Library, Resourcs & Subscriptions	558.18	700.00	141.82	79.74
Travel	2,335.33	500.00	-1,835.33	467.07
Programing and Planning	4,718.85	640.00	-4,078.85	737.32
Consultancy	7,087.65			
Client Disbursements			0.00	100.00
Minor Equipment			0.00	
Depreciation			0.00	
Other	155.54	120.00	-35.54	129.62
Salary and related Expenses	85,791.21	43,156.12	-42,635.09	440.66
Total Operating expenses	27,580.58	53,265.80	25,685.22	51.78
Total CLSP Expenses	113,371.79	53,265.80	-60,105.99	212.84

ENVIRONMENTAL DEFENDER'S OFFICE (ACT) Inc.

Income and Expenditure Statement (CLSI) Format

	2013-14	Budget	variance	% over year
OTHER INCOME				
Total Funds Received from Other Bodies	31,298.00	21,298.00	10,000.00	53.05
Total Funds Received from Other Bodies for non-CLSP CLSI Activities				
Less Actual capital Expenditure in Current Year	0.00	0.00		
Surplus/deficit for Next Year	0.00	0.00		
2. Assets acquired with Grant Funds During Financial Year 2013-2014				
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		