



Environmental Defender's Office  
AUSTRALIAN CAPITAL TERRITORY

## ANNUAL REPORT

2014-2015

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PROTECTING THE ENVIRONMENT THROUGH THE LAW

Environmental Defender's Office (ACT)  
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## 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

### Strategic directions

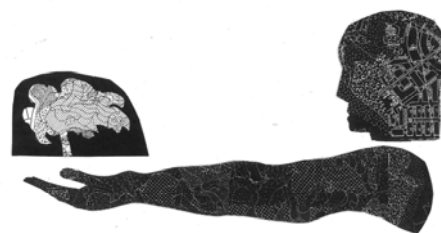
The year 2014/2015 year has been challenging for the Environmental Defender's Office (EDO) of the ACT. The committee members, staff and volunteers alike have been aware, continuously, of our need to find a new model of financial sustainability. We have pursued that goal with determination and vigour, right through the second half of 2014 and, since our Annual General Meeting in October 2015, with a reshaped committee which includes a new chair, secretary, deputy chair, public officer.

And so I'd like to thank at the outset the substantial, informed and passionate commitment our outgoing chair Hannah Jaireth made to the EDO ACT over many years.

One of the key tasks of the new Committee was to build on our work through 2014, and finalise and endorse a new strategic plan which takes account of the loss of Australian government support, and the diminishing income from the Legal Aid Commission's statutory interest account.

We formed the view that

- our core business was as a community legal centre  
- providing legal advice to people actively working to protect the environment through the law;
- that we should welcome, and able to take on, strategic litigation on environmental issues;
- and that community education and public advocacy were key elements in this work.



All artwork in this report was generously designed by John Pratt.

### Key projects

It's hard to report on any given year in a meaningful ways if you don't connect it with what came before or carries on from it. So much of the key work of our CEO and principal solicitor Camilla Taylor really had its public exposure later in 2015, and owes some of its impetus to past committee members, and indeed the work of our previous solicitors, committees and volunteers.

Rather than covering all the details of EDO ACT's work in 2014/15, I'll write briefly about our three key projects of the year, and put them in that context:

They were

- an independent expert legal analysis of the work of the World Heritage Committee, the coordination,

- writing and publication of the third ACT Environmental Law Handbook,
- and the launch of an Environment Law Clinic within the ANU School of Law.

The expert analysis of the ACT Environmental Law Handbook came through the contacts and relationships of outgoing EDO ACT Chair Hannah Jaireth. The ANU clinic was driven by previous committee members inspired by work of that kind undertaken in US Universities. The third edition of the Environmental Law Handbook built on the previous two editions put together by ACT experts and then EDO staff and members.

These are all significant and fundamental pieces of work for the Office undertaken by Camilla with the support she has drawn from colleagues and volunteers this year. And I am not undervaluing those endeavours in making the point that they reflect and draw on the EDO's history, context and a future.

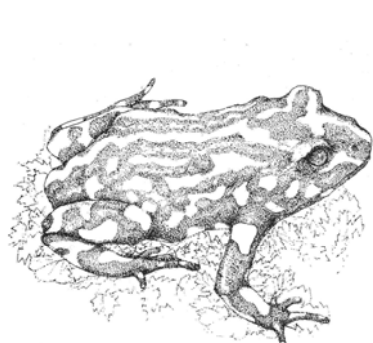
And so, in reporting on 2014/15 I am talking about a Handbook that was published in October 2015, about the first semester of a Legal Clinic that began in July 2015, and a Report submitted at the end of 2015.

The Handbook is our major ACT focused product. It is of immense value to the local legal and environment communities, and this third substantially updated edition is very high quality product. On the other hand, the legal analysis of the World Heritage Committee's work and the conduct of the undergraduate clinic at the ANU are new endeavours for us.

We should be pleased EDO ACT has taken key steps towards becoming a more sustainable organisation whose work is well understood and valued by its community.

I would be disappointed however if I left you, the reader, with the idea that the Environmental Defender's Office here in the ACT is secure or that you can be confident in its future.

2014/15 has seen a series of self-serving attacks by resource companies and the Australian government on people who seek to use the law to protect the environment. A part of that strategy of course is to attack the community legal services – such as ED ACT – who act on their behalf.



While the tone has changed over the past few months regarding the key issue of combatting climate vandalism, there is still no evidence that the Australian government and its business partners welcome the involvement of Australia citizens in making the necessary changes. The EDO, in every state and territory, has an ongoing and vital role to play in supporting Australians seeking to protect the environment in the face of that opposition.

On the other hand, the ACT government has made relatively small but significant financial contributions to our work. However, despite, the very progressive nature of the ACT as a jurisdiction - think of its renewable energy targets, Human Rights Act,

commitment to public transport and cycling infrastructure - it has yet to find any operational funding for our Office.

As the national capital, here in Canberra we have a community of informed and expert environmental advocates, and unparalleled international and scientific connections. If we are to prosper as an organisation – and so be more effective in our work – this next year needs to see us strengthen (and "operationalise") our relationships with these local and national communities. And this, dear readers, is maybe where you can help.

As I've suggested above, the EDO ACT depends on the contributions of many people. The volunteers who have worked with Camilla in our office this year, and whose efforts and commitment we greatly appreciated over the year are: Emma Svehla, Isabelle Purdy, Elsa Merrick, Gabrielle Ho, Kate Smith, Isabella Comfort, Meghan Thomas-Richards, Katherine Duffy, Bronwyn Wrigley, Quintin Gravatt, Victoria Draudins, Virginia Trescowthick, Brodie Ferson and Aaron Broekhuysen (who built three new office computers from wholesale parts).

I'd also like to thank all the committee members over the year, past and present members. I'd like to especially thank our Treasurer Lee Nelson for his sustained (and ongoing) commitment to the organisation over many years, as well as CEO and Principal Solicitor Camilla Taylor and our bookkeeper and resilient admin consultant Jason Parsons.

*Roland Manderson*

Roland Manderson

Chair, EDO ACT



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## CEO'S REPORT<sup>1</sup>

### Introduction

The EDO ACT turned 20 this year. The organisation focused its small resources on performing its core objectives to advise, educate and encourage increased public interest and participation in the environmental law. The requirement to find a sustainable funding path remained an ongoing issue and the office took on different challenges and strategic work as a result.

In 2013/14 I gave a detailed report about the Federal Government's surprise announcement that it was terminating its funding agreements with all the EDOs nationally, including the EDO ACT. The Commonwealth funding had previously provided financial sustainability to the EDO ACT and its withdrawal had significant consequences on the EDO's ability to deliver its core objectives comprising important community legal services. The risk of imminent closure meant that the EDO had to concentrate a good amount of its resources on fundraising efforts while at the same time delivering on our mandate to provide free and independent advice about the ACT environment protection laws.

Worryingly, throughout 2014, the Federal government intensified its attacks on the environment by dismantling Federal environmental protection laws along with the bodies responsible for managing the framework established to achieve better environmental outcomes and to deliver on Australia's international obligations and targets. The Federal government also threatened the ability of environmental organisations, including the EDO, to protect and advocate for the environment and improved environmental policy by establishing an inquiry into the effectiveness of the Register of Environmental Organisations. This inquiry has the potential to deprive Australians from the ability to give tax-deductible donations to environmental charities of their choice.

### Why do communities need the EDO?

The future of the EDOs is at risk, especially the smaller offices. This comes at a time when the natural environment faces unprecedented mining-related and other major development pressures; climate action in Australia is being taken apart; coal-seam gas developments are threatening rural communities and the Federal Government is intent on handing its important environmental powers to the states and territories.<sup>2</sup> This abdication of hard-fought for Commonwealth powers effectively delegates compliance with Australia's international obligations to sub-national entities with likely disastrous outcomes including increased risks to matters of national environmental significance (MNES) and our world heritage sites. In 2014 the ACT Government entered into an Agreement with the Commonwealth to undertake bilateral arrangements for

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<sup>1</sup>The EDO's CEO and Principal Solicitor, Camilla Taylor can be contacted on [edoact@edo.org.au](mailto:edoact@edo.org.au)

<sup>2</sup> <http://www.environment.gov.au/topics/environment-protection/environment-assessments/bilateral-agreements>

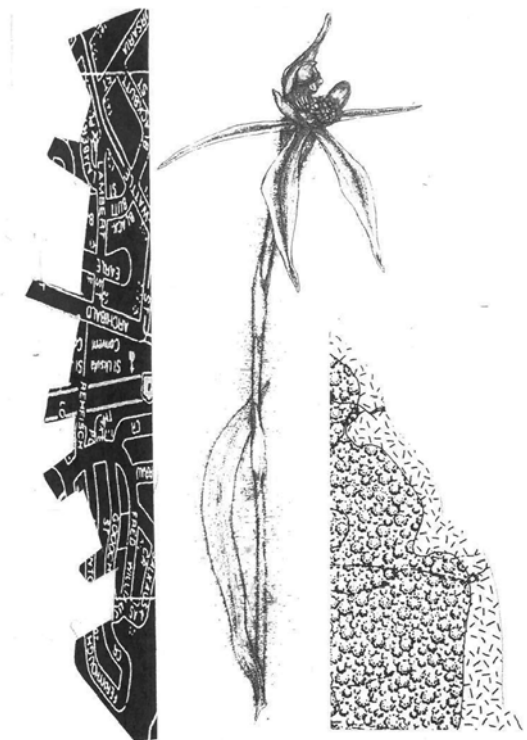
environmental assessment processes. Both governments are on track to enter into a bilateral approval agreement, however to date this agreement is not operational due to a blocking in the Senate.

The EDO is often the only affordable legal option for communities and landholders who find themselves confronted with major development projects such as mines, natural gas processing plants, coal seam gas fields and shale gas well and other development or with new government planning policies that threaten citizen rights, local biodiversity, indigenous culture, farmland, clean waterways and other public interests. In the past individuals and community groups, represented by EDOs, have succeeded in improving environmental outcomes. The EDO provides a vital access to justice service for people who wish to use the law to stand up for and protect their environment. 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 support at modest or even at no cost. This service will be effectively lost if the EDOs have to close. Defending the diverse values of the natural and cultural environment will become unaffordable for many Australians as the local EDO is the only place many people can afford to go for expert legal advice on public interest environmental law matters when they feel threatened or affected by a development.

2014-15 saw a continued interest not 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 reviewed and amended, for example, the *Nature Conservation Act 2014* (ACT) which was passed by the Legislative Assembly on 27 November 2014.

### **Fundraising for the EDO**

In response to the funding crisis, the EDO took significant steps towards raising its profile and improving its fundraising capabilities to access alternative sources of funding. Becoming financially viable was the ultimate objective. Action included designing and implementing a fundraising strategy, planning fundraising opportunities, identifying sources of funding, lodging grant applications and collaborating with the other smaller EDOs. We also engaged with several members of the Legislative Assembly, including the ACT Attorney General, and provided submissions to the ACT Government as part of its Budget 2014/15 consultation process. The EDO requested that the ACT government provide at least temporary funds to assist in keeping



the office open and to enable the time and opportunity to source alternative funding arrangements. Unfortunately, our submission was not accepted during the ACT cabinet process and ultimately the ACT government did not support our bid for budgetary assistance.

On a positive note, as a result of fundraising efforts, the EDO ACT raised its profile and in 2014–15, the EDO ACT membership grew significantly. We continued to be an active voice on social media with a Facebook profile and a Twitter account allowing us to regularly communicate environmental news and information to our members and supporters. Our website was also rebuilt to make it more user-friendly and informative.

The EDO also examined alternative opportunities for work in an attempt to secure additional funds for its ongoing survival. This included the entering into an arrangement with the ANU to offer law students an environmental law clinical program. This project came to fruition this year once our initial course proposal and outline were approved by the ANU and preparation began for the course commencement in the latter part of the 2014-15 year.

EDO ACT also commenced the research and writing of an independent report into the World Heritage Committee on behalf of the WILD Foundation.

Collaboration continued with the smaller EDO offices regarding potential joint projects.

The EDO ACT staff and Committee worked together to produce a new strategic plan, a business plan and a fundraising strategy.

### **Other support**

The ACT Law Society continued its funding of the EDO ACT in the 2014–15 year and we are very grateful for the ongoing support provided by that important organisation.

The EDO 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 communication services under a semi-commercial leasing arrangement. This 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.

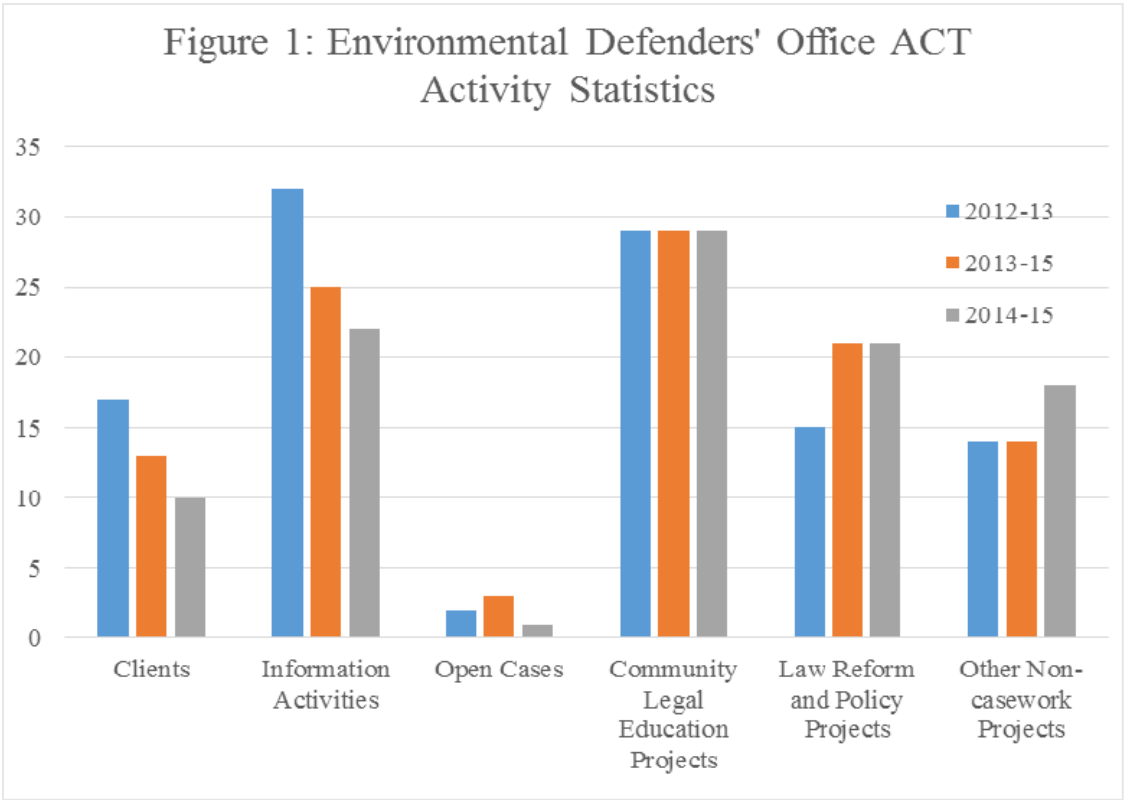
The EDO ACT also received valuable pro bono assistance this year from the AGS while updating its ACT Environmental Law Handbook and financial support from SoftLaw Community Projects and the ACT Government for the production of the Handbook including the printing and design work.



On behalf of the EDO ACT, I would like to thank our members, supporters and generous donors for continued and valued support around the various appeals conducted throughout the year, for example, our end-of-financial-year appeal, Christmas appeal and our 20-year anniversary appeal. I would also like to thank the generous support of business and community leaders who gave their time and advice throughout the year including Martijn Wilder AM, Justice Rachel Pepper, Emeritus Professor Ben Boer, Jeff Smith, Erika Hosoyama from the Purves Environmental Fund, Michelle Maloney and Judy Lambert.

**EDO services**

The EDO typically provides three main services to the ACT community: legal advice and assistance, community legal education and law reform. Statistical detail of these activities is explained in Figure 1.



Note: The review of the World Heritage Committee and the establishment of the Law Clinic at the ANU are mostly covered in “Other Non-casework Projects.”

**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. Most issues are as a consequence of increasing planning and development pressures in the ACT along with a growing and ongoing concern about the effects of climate change. The

EDO continued to meet this demand despite its limited resources and its pressing need to focus on fundraising activities.

In 2014-15, advice was sought by a wide variety of individuals, community groups and environment organisations on an equally broad range of matters. The EDO assisted these clients by providing written advices, 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.

The majority of EDO's advice and casework focussed on planning and development issues 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 cross border residential developments; access to information and accountability of environmental and planning decision-makers.



The EDO also provided advice on a range of specific matters including tree protection, heritage protection, noise and air pollution, energy efficiency rating on ACT residential buildings.

An increased amount of advice was provided to people who had been arrested for protest action which can be described as Non-Violent Direct Action (NVDA). This office was also active in appearance work for people charged in relation environmental protests and we also provided factsheets about NVDA. 2014/15 saw an increase in the number of protests no doubt due to the Australian government's moves to shut down advocacy and other avenues for people to otherwise engage with the government on environmental matters. This activity is only going to increase if the government's regressive action continues into the future.

Advice was also given in relation to the many amendments made to the ACT legislation that forms part of the environment protection framework. For example, the EDO advised individuals and community groups regarding the provisions of the new *Nature Conservation Act 2014*, the amended *Environment Protection Act 1997* and related advice regarding the biodiversity and planning laws in the ACT.

The EDO ACT 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 to make way for development, the process of development applications and amendments to the National Capital and Territory Plans. The EDO ACT strives to assist the community in understanding the legal processes and requirements for such projects.

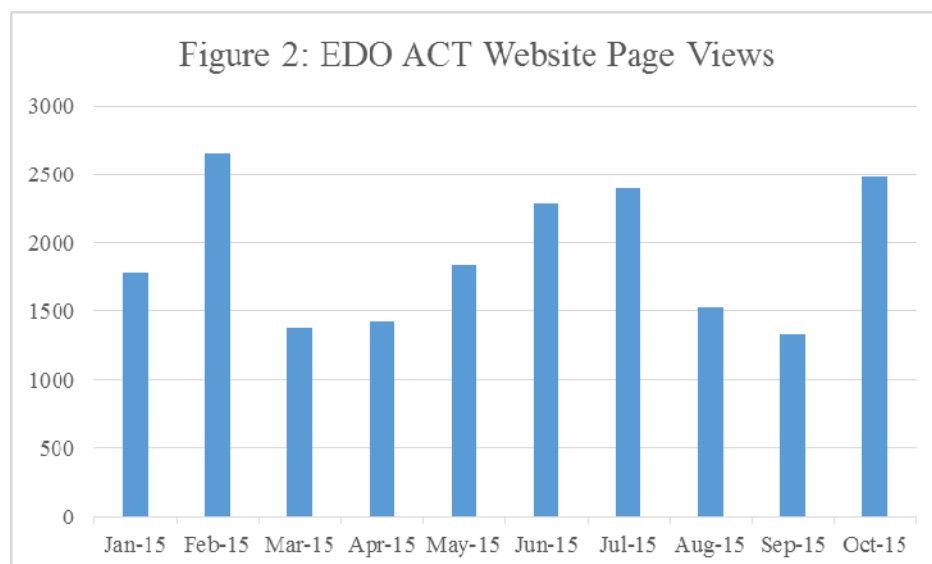
## Community legal education

In 2014–15, the EDO continued its important community legal education and community development work. The community is able to access easy to read online factsheets about the ACT environmental laws and our up-to-date website also contains the comprehensive *ACT Environmental Law Handbook* (2<sup>nd</sup> ed. 2009). The office also provides quarterly newsletters, regular environmental news updates and community forums. Towards the end of the year the office commenced the huge task of updating and reviewing the ACT Environmental Law Handbook.

## Website

An up-to-date, easy to use and informative website is an essential community education tool and the EDO's website is all of these things. In 2014/15 Michael Mazengarb generously volunteered his time to transition the website to a more practical and informative platform. He also updated the website and Facebook page when necessary. With Michael's assistance the EDO was able to quickly upload information onto the website including its law reform submissions, newsletters, factsheets, events and other news.

Since the EDO ACT launched an updated website in January 2015, the website has received an average of around 1,700 unique visitors each month. Figure 2 illustrates the monthly visitation statistics and Figure 3 shows which pages are most popular.



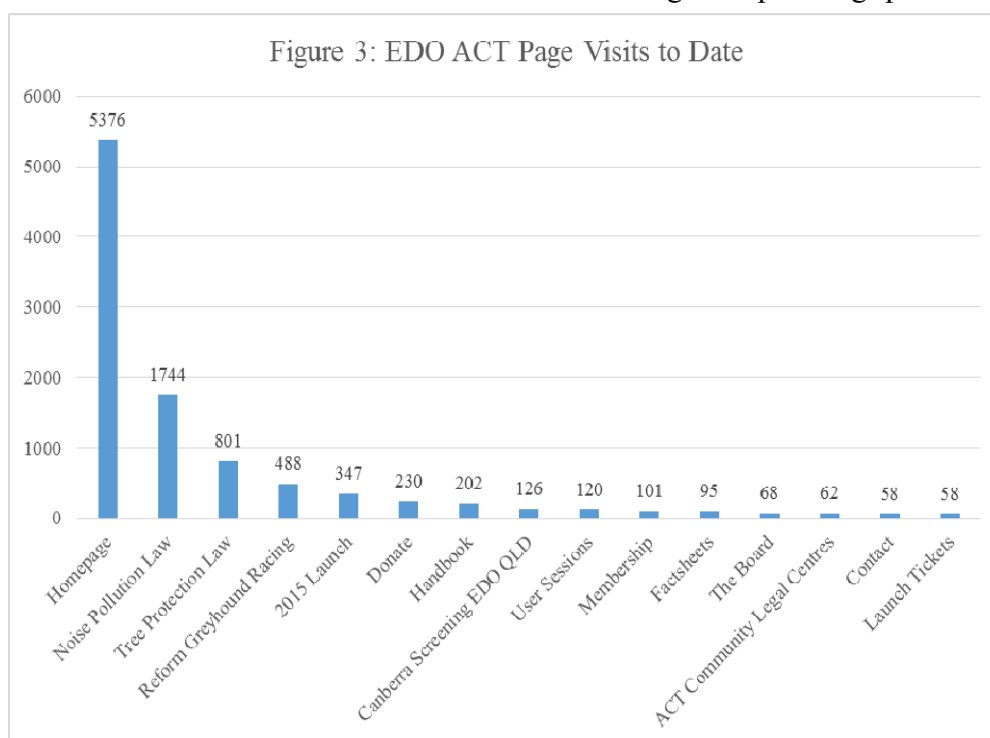
## Factsheets

In addition to face to face client assistance, 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 collection of factsheets focuses mostly on ACT environmental and planning laws.

Access to the noise-pollution factsheets spikes in January each year in response to the annual Summernats festival and the EDO ACT publishes its popular Summernats fact sheet to meet this demand. Over the course of the 4-day festival in 2015, the EDO website received 947 website visits and 383 downloads of the factsheet.

## Community development work

The EDO ACT continues to build relationships with key stakeholders and work closely with community groups including the ACT environmental networks, community councils and individuals. The EDO assists its clients in understanding the planning process and their



opportunities for involvement; where possible it assists the community in taking effective action to protect and improve the ACT environment.

The EDO ACT responded to inquiries about changes to ACT environmental legislation and gave law reform and policy information to interested stakeholders including the opportunities provided by legislation to participate in environmental decision-making and how this process might improve outcomes.

The EDO attended numerous meetings and forums throughout the year where the environmental policy changes and legislative amendments were explained.

Community education and development was also provided through contributions to the ACT Recent Developments section of the *National Environmental Law Review's* monthly *Bulletin*.

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 and holistic 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.

### **Community seminars**

The EDO ACT presented at a session held as part of the ACT Law Society two day intensive CPD event aimed at legal professionals and to the University of Canberra's Isaacs Law Society Careers Fair.

The World Parks Congress was held in November 2014 in Sydney and EDO ACT assisted in the running of an event on the judiciary and Protected Areas.

### **Law reform and policy**

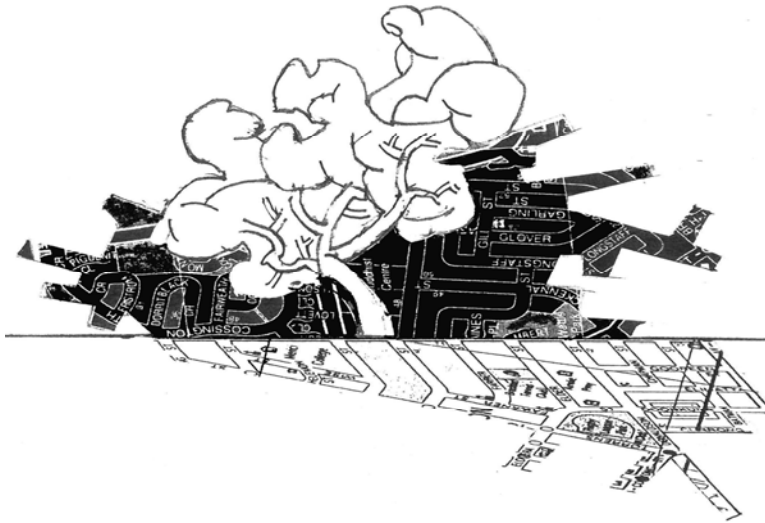
The EDO ACT continued to contribute expert and balanced law reform and policy advice to both the ACT and Federal Governments both as an individual office and as part of the Australian Network of Community Legal Centres (ANEDO).

### **Federal**

There were many changes to environmental policy in the federal sphere, including a continued push to delegate the Commonwealth's responsibility to the States and Territories for environment approvals that have significant impacts on matters of national environmental significance. 2014-15 saw the Federal government continue its regressive moves to dismantle the previous federal government's clean energy laws including the removal of a price on carbon, threats to the Clean Energy Finance Corporation and curtailing its investment capacity, restricting the Australian Renewable Energy Agency, slashing the renewable energy target and announcing a grossly underwhelming emissions reduction target.

In the face of these threats, the EDOs of Australia continued to be a strong voice and enjoyed support from the Productivity Commission Report on Access to Justice wherein it recommended government funding be restored to the EDOs (pp711-713 in Volume 2). The EDOs of Australia provided a large amount of advice in the form of written submissions to the Productivity Commission and appeared in several hearings across the country including in the ACT.

EDOs of Australia contributed to submissions to a Senate Inquiry into the Federal government's implementation of attacks on the environment and the important laws and bodies that protect it and also contributed to the abovementioned House of Representatives inquiry into the Register of Environmental Organisations.



Other law reform work involved contributing to submissions regarding the Landholders' Rights to Refuse (Gas and Coal) Bill 2015; a comprehensive update to an assessment of the adequacy of threatened species and planning laws and providing a submission on behalf of ANEDO regarding the draft ACT/Commonwealth government bilateral approvals agreement.

## ACT

2014-15 saw a significant number of Bills and policies proposed by the ACT Government that significantly amend the ACT's environmental and legislative framework. Importantly, the *Nature Conservation Act 2014* was passed by the ACT Legislative Assembly. The EDO was active in advocating for improvements as part of the long-overdue reform of this Act and participated in a number of meetings with Canberra's environmental organisations and stakeholders as well as members of ACT Government in relation to both the new Act and the consequential amendments to the *Planning and Development Act 2007*.

The ACT government introduced and consulted on a new offsets policy. The EDO provided detailed advice to government to try and improve the application and formulation of this policy so as to achieve positive biodiversity outcomes that are often sidestepped by such schemes. Submissions and advices were also given in relation to amendments introduced to the *Environment Protection Act 1997*.

Submissions and advice to the ACT government and other stakeholders was given in regards to the *Planning & Development (Bilateral Agreement) Amendment Bill 2014* regarding the abovementioned draft ACT/Commonwealth government bilateral approvals agreement.

All submissions can be accessed via the EDO ACT website.<sup>3</sup>

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<sup>3</sup>[www.edoact.org.au](http://www.edoact.org.au)

## **Staff**

In 2014–15 the EDO employed one full-time staff member - Camilla Taylor, Principal Solicitor and CEO. Our part-time staff consisted of June Weise, Administrator who was later replaced by Jason Parsons and a Communications and Fundraising Officer Michael Mazengarb.

June Weise, Administrator, retired from the EDO after ten years of valuable service to the EDO ACT. June was very generous with her time and energy, she often worked many hours over the ten hours she was paid per week. June is greatly missed. After June's retirement, Jason Parsons, a consultant book keeper was engaged to perform some of June's work.

Michael Mazengarb completed his contract early in this financial year, but continued to assist on a voluntary basis with all of the messaging and social media including updating the website, Twitter, Facebook and member/supporter communications.

The EDO's Management Committee continued to meet regularly and worked effectively inter-sessionally. Most 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 Roland Manderson, Vice-Chair Fiona Lord and then Julia Pitts, Secretary Alex Ratino and later Meaghan Thomas-Richards, Treasurer Lee Nelson and Public Officer Michael Mazengarb.

## **Volunteers and interns**

The EDO could not provide its services to the ACT community as broadly and as effectively without the constant support provided by the many 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. The contribution of volunteers amounts to many hours per week and enables the EDO to fulfil all of its core objectives and functions even with its extremely limited staffing resources. In 2014–15, 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 paralegals or interns.

I would like to acknowledge and thank all of the volunteers mentioned in the Chair's report.



### **Office activities**

A wide range of other operational and management activities were performed by staff to keep the EDO Office functioning and accountable. For example, this year the EDO ACT obtained deductible gift recipient status.

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, preparation of financial documents, book-keeping, lodging grant applications, participating in the annual audit held pursuant to the professional indemnity insurance scheme, Community Legal Services Information System (CLSIS) data entry, reporting and supervising volunteers.

### **Conclusion**

The EDO ACT will continue to be an important voice for the environment and is confident that it will adjust to the ongoing financial challenges that it faces. It will continue to seek replacement funding and will seek to 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 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 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 important influence on the environment.

A handwritten signature in black ink, appearing to be 'Camilla Taylor', with a stylized, flowing script.

**Camilla Taylor**  
Principal Solicitor and CEO  
24 November 2015



## **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 income in line with its strategic directions. As Treasurer, the goals are:

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

The 2014/15 financial year generated a surplus of just over \$38 000, which can be attributed to a conscious decision by the office to limit expenditure, as well as increases in income from memberships, donations and sales of the Environmental Law Handbook. Total equity at June 2015 is \$91,762.

As government cuts cast a long shadow over the continuing financial viability of public access environmental legal services, the Committee of the EDO (ACT) is continuously reviewing its financial options and key resource allocations. The challenge for this financial year is to find the funds to continue as a independent provider of high quality public interest environmental advocacy and legal education.

We have moved into the 2015/16 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 viability of the EDO (ACT) remains a key issue for 2015/16.

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 Jason Parsons, the EDO (ACT) Office Administrator, for his dedication and guidance in all things financial over this past year.



Lee Nelson  
Treasurer

18 November 2015

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

**ABN 32 636 009 247**

**FINANCIAL REPORT  
FOR THE YEAR ENDED**

**30 JUNE 2015**

**Environmental Defender's Office ACT**

GPO Box 574  
Canberra ACT 2601

**Profit & Loss [With Last Year]**

July 2014 To June 2015

	2015	2014
<b>Income</b>		
Grant Income		
Commonwealth Grants	\$21,600.00	\$103,591.23
Law Society ACT grant	\$80,176.02	\$16,938.98
Cheque Account Interest	\$7.41	\$15.52
Were Cash Trust Interest	\$0.00	\$4.31
Term Deposit Interest	\$2,004.98	\$3,716.14
Trust Account Interest	\$0.27	\$0.00
Membership	\$1,472.00	\$412.72
Donations	\$5,522.43	\$2,437.00
Fundraising	\$0.00	\$3,121.36
Sundry Income	\$26,245.00	\$427.50
ACT Environmental Law Handbo	\$17,000.00	\$0.00
<b>Total Income</b>	<b>\$154,028.11</b>	<b>\$130,664.76</b>
<b>Expenses</b>		
Salaries Solicitor		
Salaries Solicitor Paid	\$77,856.25	\$68,457.44
Provision Solicitor Rec Leave	\$0.00	\$5,543.54
Salaries Admin Paid	\$3,431.35	\$15,778.79
Provision Admin Rec Leave	\$343.13	\$1,639.68
Provision Admin LSL	\$223.06	\$1,134.03
Super Expense EDO Staff	\$8,803.22	\$8,308.80
Workers Compensation Insuran	\$752.74	\$779.57
Rent	\$6,630.84	\$5,497.26
Repairs and maintenance	\$0.00	\$763.64
Training	\$996.86	\$231.82
Training Travel	\$35.45	\$0.00
Employment Advertising	\$0.00	\$2,776.35
Internet	\$91.75	\$1,191.25
Telephone	\$27.27	\$81.81
Office Supplies	\$98.11	\$502.38
Postage	\$250.00	\$291.83
Printing - Publications	\$0.00	\$750.00
Office Equipment > \$100	\$0.00	\$178.18
Insurance (not Workers' Comp)	\$262.58	\$25.42
Audit	\$0.00	\$90.90
Bank Fees	\$63.63	\$270.19
Registrar General Fees	\$38.00	\$74.00
Bookkeeping	\$4,033.76	\$0.00
Law Library	\$0.00	\$32.73
Membership Fees	\$3,050.00	\$525.45
Practising Certificate	\$1,083.00	\$1,088.34
Travel (Not Staff Training)	\$61.81	\$2,335.33
Advertising and Publicity	\$1,236.14	\$113.64
Forum Costs	\$0.00	\$2,182.06
Meeting Expenses	\$49.00	\$104.69

**Environmental Defender's Office ACT**

GPO Box 574  
Canberra ACT 2601

**Profit & Loss [With Last Year]**

July 2014 To June 2015

	2015		2014	
Seminars by EDO	\$0.00		\$2,318.46	
Sundry Expenses	\$283.89		\$155.54	
Consultancy	\$3,430.00		\$7,087.65	
Computer Software & Equipmen	\$458.35		\$0.00	
Website	\$149.54		\$0.00	
EDO Super (To Be Cleared)	\$2,046.14		\$0.00	
<b>Total Expenses</b>	<b>\$115,785.87</b>		<b>\$130,310.77</b>	
<b>Net Profit/(Loss)</b>	<b>\$38,242.24</b>		<b>\$353.99</b>	

**Environmental Defender's Office ACT**

GPO Box 574  
Canberra ACT 2601

**Balance Sheet [Last Year Analysis]**

June 2015

	This Year	Last Year
<b>Assets</b>		
Cheque Account	\$50,462.58	\$28,993.55
Petty Cash	\$100.00	\$100.00
Term Deposit	\$31,714.65	\$119,709.93
Trust Account	\$6,121.34	\$2,437.07
Trade Debtors-owed to me	\$15,425.62	\$0.00
Total Computer Equipment	\$923.64	\$0.00
<b>Total Assets</b>	<b>\$104,747.83</b>	<b>\$151,240.55</b>
<b>Liabilities</b>		
Accruals	\$92.40	\$0.00
VISA	(\$64.06)	\$0.00
Provision for LSL	\$0.00	\$3,842.68
Liability Rec Leave -Solicitor	\$1,420.07	\$5,306.70
Liability Rec leave Admin	\$71.62	\$365.40
Unearnt Grants	\$0.00	\$80,176.02
PAYG Liability		
PAYG EDO Staff	\$5,232.52	\$5,372.88
Superannuation Liability	\$2,873.61	\$2,089.57
GST Liability	\$3,359.26	\$567.13
<b>Total Liabilities</b>	<b>\$12,985.42</b>	<b>\$97,720.38</b>
<b>Net Assets</b>	<b>\$91,762.41</b>	<b>\$53,520.17</b>
<b>Equity</b>		
Retained Earnings	\$53,228.23	\$52,874.24
Current Year Earnings	\$38,242.24	\$353.99
Historical Balancing	\$291.94	\$291.94
<b>Total Equity</b>	<b>\$91,762.41</b>	<b>\$53,520.17</b>

ENVIRONMENTAL DEFENDER'S OFFICE (ACT) Inc. Income and Expenditure Statement (CLSIIS) Format		
	2015	2014
<b>1. Income and Expenditure</b>		
<b>NET SURPLUS/DEFICIT FROM PREVIOUS YEAR</b>		
Surplus/Deficit from previous year	0.00	-353.99
Approved Expenditure fro Surplus	0.00	-353.99
Net Surplus/deficit from previous year	0.00	-353.99
<b>CLSP INCOME</b>		
C'wth	0.00	103,591.23
State		
Service Generated Income	0.00	10,134.55
<b>Total Income</b>	0.00	113,725.78
<b>CLSP Genral Services Income</b>	0.00	113,371.79
<b>CLSP EXPENSES</b>		
Salaries	0.00	75,614.50
Superannuation	0.00	8,308.80
On costs	0.00	1,867.91
rent	0.00	5,497.26
Repairs and maintenance	0.00	763.64
Training	0.00	231.82
Staff Recruitment	0.00	2,776.35
Communications	0.00	1,273.06
Office Overheads	0.00	1,722.39
Insurance (Not Workers' Com)	0.00	25.42
Finance and Accounting Fees	0.00	435.09
Library, Resourcs & Subscriptions	0.00	558.18
Travel	0.00	2,335.33
Programming and Planning	0.00	4,718.85
Client Disbursements	0.00	7,087.65
Minor Equipment		
Depreciation		
Other	0.00	155.54
<b>Salary and related Expenses</b>		
<b>Total Operating expenses</b>	0.00	113,371.79
<b>Total CLSP Expenses</b>	0.00	113,371.79
<b>OTHER INCOME</b>		
Total Funds Received from Other Bodies	0.00	31,298.00
Total Funds Received from Other Bodies for non-CLSP CLSIIS Activities		

ENVIRONMENTAL DEFENDER'S OFFICE (ACT) Inc. Income and Expenditure Statement (CLSIIS) Format		
	2015	2014
Less Actual capital Expenditure in Current Year		
<b>Surplus/deficit for Next Year</b>	0.00	0.00
<b>2. Assets acquired with Grant Funds During Financial Year 2014-15</b>		
Land		0.00
Real Property		0.00
(Other)		0.00
Total Capital		0.00
<b>3. Future Contingency Amount</b>	0.00	0.00

Environmental Defender's Office ACT

# **Cash Flow from Operating Activities** **As at June 2015**

	2014-2015	2013-2014
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>		
Grants received	21,600	120,530
Other income received	52,252	6,400
Staff expenses paid	-92,703	-85,791
Rent paid	-6,631	-5,497
Other expenses paid	-16,452	-27,581
Net cash provided by operating activities	-41,934	8,061
<b>CASH FLOWS FROM INVESTING ACTIVITIES</b>		
Net cash used in investing activities	0	3,735
Net increase/(decrease) in cash held	-62,842	52,520
<b>Cash at 1 July 2014</b>	<b>151,241</b>	<b>130,857</b>
Cash at 1 July 2013		
Closing Cash at 30 June	88,399	151,241



## **Auditor's Certification**

Name of Organisation: Environmental Defenders Office (Act) Inc

Financial Year Period: 1 July 2014 – 30 June 2015

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 1<sup>st</sup> 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:**

22/10/2015

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