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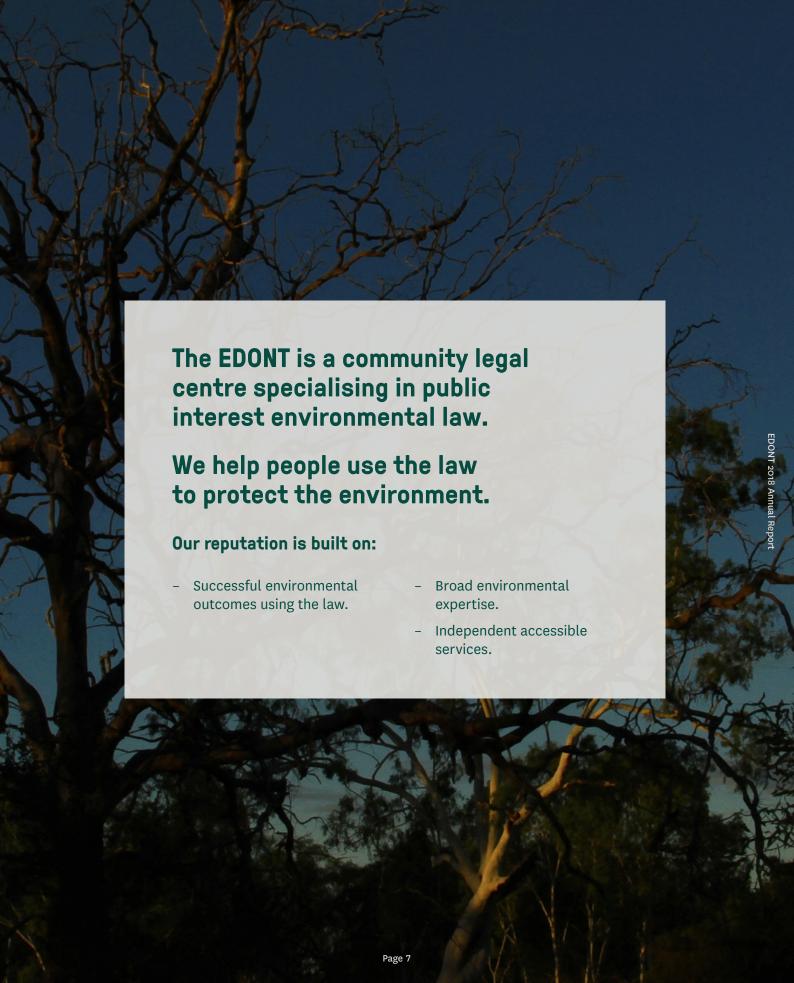
04 Acknowledgements

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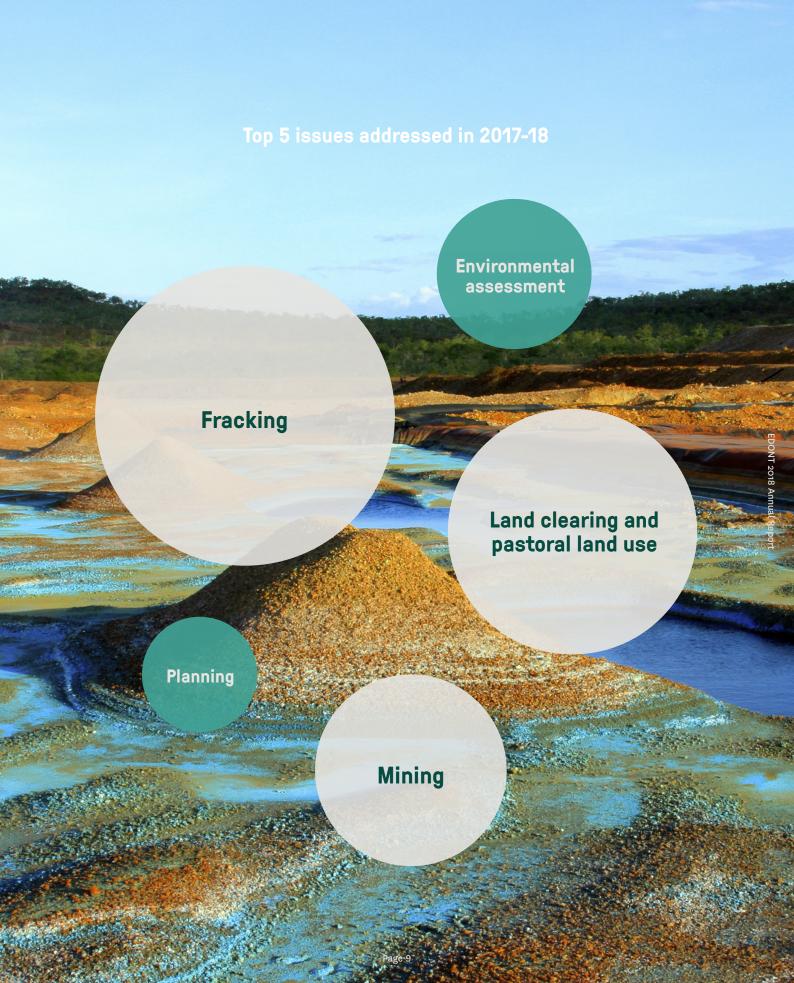
Our Purpose



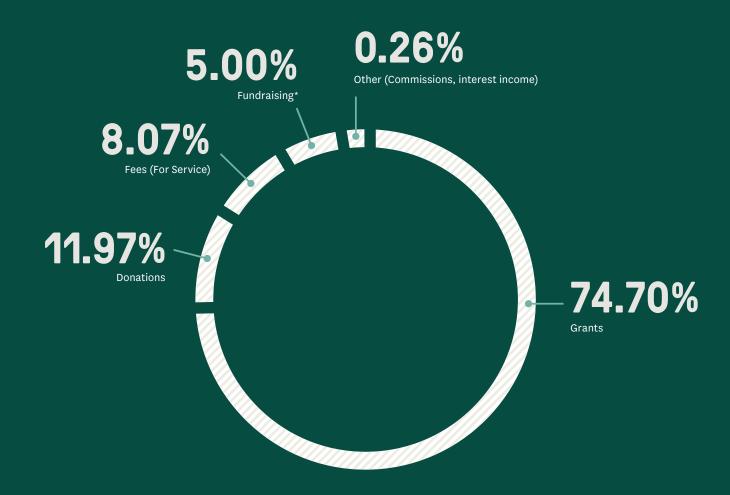
EDONT at a glance



EDONT snapshot

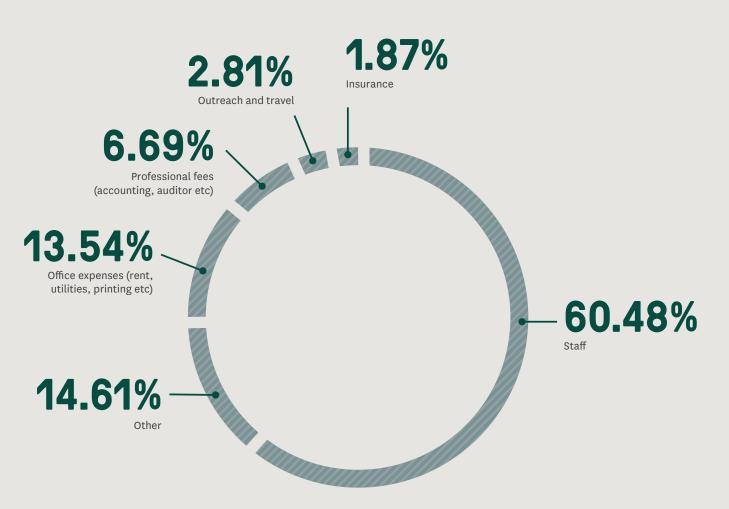


Where does our money come from?



*NB: our art auction was held in July 2018 and raised over \$45 000. This will be reported in the 2018/2019 Financial Reports

How do we spend our money?



From the Management Committee

It has been another exciting and highly productive year for the office. Our new Principal Lawyer and Executive Officer, Gillian Duggin, commenced in late January and has brought enormous energy, knowledge and policy expertise to the role.

In this short time, Gillian has run ground-breaking administrative law proceedings in the Supreme Court challenging the decision to approve the clearing of over 20,000 hectares of land at Maryfield station, overseen the relocation of our offices to its new site in Nightcliff, conducted another highly successful fundraising art auction, produced law-reform policy submissions, secured new funding grants from the NT Community Benefit Fund and the Law Society's Public Purposes Trust and provided multiple advices and community legal education to clients. This is a phenomenal achievement for an office with only 1.4 staff members.

The EDONT is extremely proud of our strategic litigation practice. The present Supreme Court case, on behalf of the Environment Centre NT, is a novel and groundbreaking case. Beyond seeking to uphold the law in relation to the particular decisions that are being challenged, our client hopes the case may pave the way for improved consideration of climate change and ecologically sustainable development by NT government bodies.

Despite our limited size and resources, the EDONT continues to make a significant contribution to law reform processes. In 2017-2018, our focus has been on fracking and the program of environmental regulatory reforms that the NT Government is progressing.

Following our submissions to the Scientific Inquiry into Hydraulic Fracturing last year and the Government's announcement of the lifting the moratorium on the unconventional hydraulic fracturing of gas in the NT,

EDONT has continued to advocate for best practice in the regulation of the fracking industry. To this end, EDONT has agreed to participate in the Onshore Shale Case: Community and Business Reference Group.

There have been a number of changes to our Management Committee this year. We have sadly had to farewell a stalwart of EDONT, our former secretary Steph Booker who relocated to Canberra to take up the position of EDO ACT Principal Solicitor. We congratulate Steph on her appointment and thank her for her dedicated service to EDONT. Steph was not only a dedicated secretary but also assisted in past years in the curation, marketing and website management for the EDONT Art Auction. We wish Steph all the best in her new adventures in chilly Canberra.

Amanda Lilleyman also resigned from the Management Committee in late 2017. Amanda was a dedicated member of the Art Auction sub-committee and provided important links between the EDONT and the CDU postgraduate community and the NT Field Naturalists. We wish Amanda every success with her PHD and her media career as NT's most famous twitcher!

In June 2018, our indefatigable treasurer, Neil von Bertouch, resigned to pursue exciting opportunities overseas. We would like to thank Neil for his significant contribution to EDONT over many years. Neil not only provided clear and considered counsel to the Management Committee in all its deliberations, but crucially was a talented and diligent treasurer during some precarious financial times. Neil provided the Management Committee with accurate and regular updates and forecasts on expenditure and income which helped to navigate and inform our decision making and fundraising plans.

While we are sad to see the departure However, we continue to rely on of these valued Management Committee fundraising and donations to survive, members, we are lucky to have had an all of which consume a considerable enthusiastic and talented Management amount of staff and the Committee's Committee on board this year who care time. The organisation's viability deeply about the organisation. We recently continues to remain highly uncertain welcomed onto the board Ros Vickers, without a significant increase in funding. CDU academic and environmental and Discussions have continued throughout planning law expert, and Kate Bradbury, 2017/18 between national EDO offices our new treasurer, and we have already about merging into a single, national benefited greatly from their considered organisation. We anticipate there contributions. will be progress on this process soon, resulting in a proposal being put to The Management Committee would like members for their consideration. to especially thank Kirsty Howey, our public officer, for her continued leadership Thank you again to all our generous and commitment. Kirsty has represented supporters, and we look forward to the Management Committee in the merger another productive year in 2018-19. discussions for a new national EDO body **Management Committee** and was also instrumental in the curation Environmental Defenders Office (NT) Inc and promotion of this year's art auction. Chair: Will Crawford We are also very thankful to the expert and dedicated work of Ingrid Nadjarian, Treasurer: Kate Bradbury Darwin's most sought after executive Secretary: Gareth Lewis assistant and legal secretary, Public Officer: Kirsty Howey for continuing to provide vital administrative support. Despite the EDONT's successes over the past 12 months, our future is still uncertain. We are grateful for the Northern Territory Government's regular injection of \$50,000 per annum in funding for policy work, the support of the NT Law Society, and for the vital support of Arnold Bloch Leibler for our annual Aboriginal art auction. We simply couldn't stay afloat without such generous support.

From the Principal Lawyer/Executive Officer

It's been a big year for EDONT - and for the Northern Territory's environment.

Since stepping into this role in January 2018 and taking over from David Morris, who departed in September 2017 after almost four extraordinary and dedicated years of leadership at EDONT, I am proud of the work the office has been able to progress.

Fracking has been a key issue for our office for a number of years, and that has not changed this year. With the NT Government announcing in early 2018 that it would lift its fracking moratorium and implement vast and ambitious regulatory reform prior, EDONT is set to continue its critical role in influencing law and regulatory reform. Our value was recognised through our appointment to the NT Government's Community and Business Reference Group which will oversee implementation. Acknowledging the ongoing high levels of community concern about this decision, EDONT has also focused on community legal education and outreach in relation to fracking – something that will undoubtedly be a focus for the coming year too.

We have also continued in our tradition of bringing landmark environmental litigation. Representing the Environment Centre Northern Territory, we commenced proceedings in the Supreme Court in early 2018, challenging government decisions to approve over 20,000 ha of native vegetation for clearing without any formal environmental impact assessment. A key focus of the case relates to consideration of the climate change impacts of the decisions under the law

Importantly, in addition to our significant litigation and policy work load, we also have continued with our vital community legal advice work and outreach activities.

This work is at the heart of EDONT – providing access to justice by supporting and advising communities and individuals who are seeking to protect their environment and culture and to uphold the rule of law, to achieve these goals.

In 2017/18 we have been grateful to have the continued support of the NT Government and the Law Society's Public Purposes Trust, whose generous grants ensure that we are able to undertake our vital policy and community education and outreach work. However, keeping the doors open of our small, ambitious office remains an ongoing struggle.

This year also saw us continue with our major fundraising event, our Aboriginal Art Auction. This year's event was another resounding success, although as it was held in July 2018, it will be formally reported on next year. However, it is worth noting we were able to raise close to \$50,000. This event remains absolutely essential in ensuring our doors can stay open year to year. We are also, as always, extremely grateful to our regular donors whose contributions are also a significant and valued source of income for us. They also serve as valuable reminder of the depth of support that EDONT enjoys in the Northern Territory, and our connection with the community.

I would like to take this opportunity to express my sincere thanks all those who play a key role in supporting EDONT The Management Committee has been a committed and encouraging group of individuals who have all provided guidance and assistance throughout the year.

Thanks to Chairperson Will Crawford for his leadership and irrepressible enthusiasm, and his ongoing efforts on EDONT's fundraising needs. I also particularly wish to thank
Kirsty Howey, our public officer, for her
tireless enthusiasm, encouragement
and commitment to the EDONT's cause
– going far beyond the call of duty on
a weekly basis. I am incredibly grateful
for her support and guidance. Similarly,
thanks to our Administrative Coordinator,
Ingrid Nadjarian, who has been a
supportive, kind and steadying force
throughout the year and has kept the
office moving forward.

I also wish to thank EDONT's clients and supporters who have welcomed me so warmly to Darwin and the Northern Territory. In particular, I want to acknowledge our client group in Borroloola, and specifically Nancy McDinny, Stewart Hoosan, and Jacky Green. I am grateful to have such wonderful clients who have embraced me during my transition into the role, and continue to be dedicated supporters of EDONT, including by contributing their art to our auction.

Finally, I also want to acknowledge our landlords at the Lucky Bat café, Justin Schmidt and Danny Crichton. EDONT has found a home in our new office space in the wonderful community of Nightcliff, and we couldn't have asked for more enthusiastic, collaborative and supportive landlords.

Looking back, it is a source of pride what we have achieved this year, despite the challenges that such a small operation such as EDONT faces. I look forward to another productive year ahead – a year that promises to be a critical one for the Territory's environment, and one in which EDONT's public interest environmental law expertise will be as important as it has ever been for the Northern Territory.

Gillian Duggin,
Principal Lawyer/ Executive Officer



Key numbers

Key Numbers	2018 (\$)	2017 (\$)	2016 (\$)
Total Equity	51,248	95,995	107,878
Total Expenses	143,840	305,653	225,554
Net Profit	(44,747)	(11,883)	(15,172)

The EDONT made a loss of \$44,747 on the year and held net assets of \$51, 248 as at 30 June 2018.

From the Treasurer

Summary of the Year

As the new Treasurer of the EDONT and, in accordance with section 43(1) of the Associations Act (NT), I am pleased to report to the members of the EDONT the audited financial statements for the year ended 30 June 2018.

The EDONT continues to deliver invaluable legal environmental services to the people of the Northern Territory despite a difficult economic position. We've had a year full of work and thanks to Gillian's efforts, hosted a successful art auction and been the recipient of timely and critical grant funding.

A change in financial reporting shows on paper a significant drop in fundraising efforts in 2017/2018. In 2016/2017, fundraising accounted for 58% of EDONT's income, however, in 2017/2018 this drops to 19.78% at \$5009. This drop is largely due to the profit from the 2017/2018 Art Auction not being received until the 2019 financial year and thus not included in this financial statement. The 2017/2018 Art Auction profit will be tabled in the 2018/2019 financial reports. Pleasingly, I can, however, offer that the Art Auction raised approximately \$47,000 after paying our artists and art centres for their works. There remain unsold works to the value of \$1,990.00.

Grant funding makes up 75% of income at \$73,994. The majority of this is from the \$50,000 grant by the Northern Territory Government for policy work. Our total grant income has increased from \$59,098 received in 2017.

Donations contributed \$11,858 to the 2017/2018 income, down from \$32,999 in the previous year. This income stream is one which could be further developed, most readily through regular workplace giving.

Total expenses for the year decreased from the previous year from \$305,653 to \$ 143, 840. This is due primarily to the art auction previously being reported against under "advertising and fundraising expenditure", and secondly due to the position of the Principal Legal Officer being unfilled for several months.

Our cash/current position sits at \$51,248 compared with last year's \$95,995.

Moving forward

Continued funding from the Northern Territory government and reduced expenses means that the EDONT will continue to trade in 2018/2019. The Art Auction is a significant and welcome source of income for the EDONT but is resource intensive and we should be open to alternative ways of running this event. The EDONT Management Committee continues to participate in discussions on the merger with the hope that a potential restructure might bring some financial and resource gains to the NT. In my brief tenure as Treasurer, it has been my pleasure to work alongside my fellow committee members and thank them for their commitment to the work of the EDONT.

Kate Bradbury, Treasurer, EDONT

Our Work

Our Work in 2017/2018

Providing legal representation, advice and access to justice

In 2017/18, we continued to provide vital legal advice and representation to EDONT clients, including groups based in Darwin and Alice Springs, and as far afield as Borroloola in the Gulf of Carpentaria.

Key representation and advice work this year included:

- Commencing proceedings on behalf of the Environment Centre NT in the Supreme Court challenging the approval of over 20,000ha of land clearing without a proper environmental impact assessment.
- Successfully challenging a development approval in the Northern Territory Civil and Administrative Tribunal ("The Gardens" project, 4 Blake Street, Darwin).
- Providing advice to various clients on a range of current NT environmental issues including land clearing, pastoral land use, sacred sites, fracking, mining and environmental assessment processes.
- Preparing a submission for our clients at Borroloola on the draft Environmental Impact Statement for the McArthur River Mine Overburden Management Project.

Engaging in law reform and policy

The EDONT has remained very active in policy and law reform work during 2017/18.

Our key contributions included:

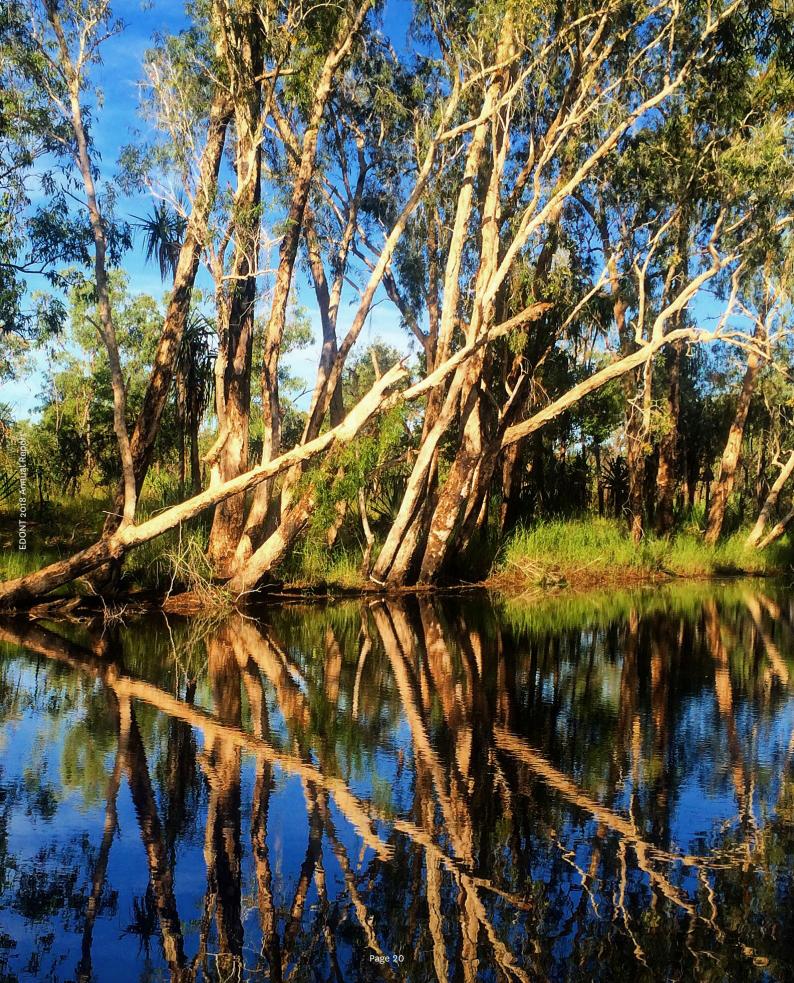
- Making submissions and appearances at public hearings in relation to the Scientific Inquiry into Hydraulic Fracturing in the Northern Territory.
- Preparing a submission in response to the NT Government's 'Environmental Regulatory Reform Discussion paper', which built on previous engagement about issues with the regulatory framework for environmental impact assessment in the NT, a key concern for EDO NT for many years.
- Jointly with EDO Queensland and on behalf of the EDOs of Australia, preparing a submission on Governance and Operation of the Northern Australia Infrastructure Facility (NAIF).

Providing community legal education

Our community legal education and outreach work plays a vital role in supporting access to environmental justice for communities in the Northern Territory.

In 2017/18, our work in this space included:

- Finalising and publishing our guide to the Northern Territory's Civil and Administrative Tribunal (NTCAT), which focuses on its jurisdiction relating to the environment, supported by a generous grant from Australian Ethical Super.
- Commencing an update of our extensive collection of online factsheets, supported by a generous grant from the NT Law Society's Public Purposes Trust.
- Undertaking outreach trips to Borroloola, including to provide information to the community about the McArthur River Mine Overburden project to assist preparing a submission on behalf of community members, and to provide information about NTCAT.
- Attending community forums and events on fracking, to provide information about environmental law, individual and community rights and law reform processes.



Case Studies

Ground-Breaking Climate Change Litigation: Maryfield Station Land Clearing

In early 2018 EDONT commenced proceedings in the Northern Territory Supreme Court on behalf of the Environment Centre Northern Territory (ECNT), challenging the decisions of the NT Environment Protection Authority (EPA) and the Pastoral Land Board (PLB) to approve over 20,000 ha of native vegetation for clearing without any formal environmental impact assessment. To our knowledge, this permit is the largest single land-clearing permit issued in the Northern Territory. A key focus of the case is how climate change was considered in the EPA's decision-making process.

In June 2016, the PLB had received an application from Maryfield Station, a pastoral station 550kms southwest of Darwin, to clear 23,795 hectares of native vegetation. In 2017, the PLB referred the matter to the EPA to determine whether an environmental impact assessment was required, given the scale of the proposal. In late 2017, the EPA issued a decision that the application did not require assessment under the Environmental Assessment Act, while also stating that the clearing was "likely to make a considerable contribution to the NT's annual greenhouse gas emissions". The PLB then determined to grant a permit for the clearing.

Our client ECNT is challenging the legal validity of the decision-making process of both the EPA and PLB. ECNT argues that the EPA and PLB committed a range of legal errors in making their decisions in relation to the clearing application. Importantly, ECNT alleges that EPA did not properly consider the impacts of greenhouse gas emissions from the land clearing, and failed to consider the principles of ecologically sustainable development, when determining that the proposed clearing didn't require an environmental impact statement.

We believe it to be the first case that challenges the legal process associated with a land clearing approval based on climate change grounds. It is also the first time, to our knowledge, that the decisions of the PLB and the EPA have been challenged in the Supreme Court in the Northern Territory. As such, it is an important test case about the obligations of the PLB and EPA under existing laws. It also has the potential to highlight deficiencies in existing law and policy around environmental assessment, land clearing and climate change in the Northern Territory.

The case is anticipated to go to hearing in late 2018.

We are very grateful to James Hutton and Peter Bellach of Counsel for their assistance in representing ECNT in these proceedings.





Supporting Gulf Communities:

McArthur River Mine Overburden Management Project

EDONT continues to support clients from in and around Borroloola in the Gulf of Carpentaria in relation to the open cut lead and zinc mine, McArthur River Mine (MRM).

Since 2014, an environmental impact assessment process has been underway for the 'Overburden Management Project' (OMP) for MRM, that is proposing a significant redesign of how the mine manages its waste materials. The need for this project arose due to significant environmental risks arising from the classification system of waste rock from the mine, which culminated in various incidents – including the overburden pile combusting in 2016.

EDONT has a long history of assisting members of the Borroloola community in relation to the mine, including our most recent work representing Jacky Green in NTCAT to successfully gain access to the security bond held by the Northern Territory Government for the mine.

In 2017, EDONT visited our clients in Borroloola to explain the proposals in the draft environmental impact statement (EIS) for the OMP, including MRM's closure plans for the mine, which would involve re-diverting the McArthur River through the tailings lake, something of significant concern to our clients, based on the potential impacts that would be felt downstream.

On behalf of our clients, EDONT retained 6 experts, including a mine rehabilitation expert, engineers, an ecologist and a water expert, to analyse the complex and voluminous draft EIS for the OMP. Based on this expert input, EDONT prepared a submission to the Northern Territory **Environment Protection Authority** (NTEPA) on the draft EIS, which enabled our clients to have their concerns heard about the project. Given there was no appropriate consultative process or opportunity for our clients to understand the scope of the OMP proposal, EDONT's support has provided a voice to members of this remote Aboriginal community about a project that has had, and continues to have, a significant impact on their lives.

In mid/late 2018, the NTEPA provided a complex assessment report that contained 30 recommendations with regard to the ongoing and future management of the MRM and the OMP. The Commonwealth Minister for the Environment, and the NT Minister for Primary Industry and Resources now has the responsibility for either permitting or refusing the OMP project and the continued operations of the mine.

EDONT continues to support our clients in relation to the OMP, as well as more broadly about the ongoing and future operations of the mine and its impact on the health, environment, livelihoods and culture of residents in the Gulf.

Influencing a New Generation of Environmental Laws for the Territory:

Fracking Inquiry and Beyond

A key area of EDONT's recent law reform and policy work has been our engagement in the Northern Territory Government's independent Scientific Inquiry into Hydraulic Fracturing of Onshore Unconventional Reservoirs in the Northern Territory (the 'Fracking Inquiry').

In 2017/18, EDONT continued our close engagement in this process, giving oral submissions in response to the Fracking Inquiry's interim report (August 2017) and providing extensive further written submissions (September 2017). We made a final written submission to the Inquiry following the release of its draft Final Report (February 2018). In this final submission, EDONT emphasised key issues associated with proposed regulatory reforms to be resolved prior to finalising the Fracking Inquiry's report to government, and provided specific comments on those recommendations that were supported, and those that required strengthening.

Many of EDONT's recommendations were reflected in the Inquiry's recommendations in its Final Report. For example, of our original 32 recommendations in our first submission, 28 of these are reflected in the draft Final Report either in part or in full. These recommendations included key reforms that EDONT has been advocating for over a number of years (for example, merits appeal rights and more transparent decision-making processes).

Throughout the Fracking Inquiry process, we also contributed to community discussion about the Fracking Inquiry, and helped to inform individuals and groups to ensure they could effectively participate in the process. We engaged with rural and remote communities in Borroloola, Katherine and Central Australia, as well as clients and community members based in Darwin, EDONT provided information about issues and gaps related to the current legal and regulatory framework for fracking in the NT and encouraged participation through attendance at hearings and guidance in preparing effective submissions.

In March 2018, the Northern Territory Government announced it would lift the fracking moratorium, accepting all recommendations of the Fracking Inquiry and committing to a significant regulatory reform prior to permitting any exploration activities to continue (proposed for mid 2019).

EDONT's engagement and expertise has been recognised through our appointment to the Northern Territory Government's Implementation Community and Business Reference Group, which is comprised of representatives from key stakeholder bodies to oversee the government's implementation of its various reform commitments.

These reforms, if progressed in full, would significantly strengthen the existing environmental legal and regulatory framework in the NT to deliver more accountable decision-making, including by supporting enhanced transparency and public participation in decision-making and promoting access to justice. The reforms are also likely to have an influence in Northern Territory environmental law beyond fracking.

We recognize that there are high levels of concern remaining in the community about the Government's decision to proceed with fracking, and its capacity to properly regulate this highly technical industry across the remote outback. Our focus has been, and will continue to be on, holding the government to account to its commitments to develop, implement and enforce a best practice regulatory framework for fracking, and providing advice, information and support to communities if and when fracking activities commence.



Financial Reports

Statement of activities and changes in net assets

	2017 (\$)	2018 (\$)
Total income	293,770	99,093
Grants	59,098	73,994
Fees	16,962	8,000
Commissions	382	27
Donations	32,999	11,858
Recoveries	12,239	0
Other income	172,090	5,009

	2017 (\$)	2018 (\$)
Total expenditure	305,653	143,840
Advertising & fundraising expenditure	115,483	6,669
Auditors remuneration	2,040	1,500
Bad debts	155	-
Bank charges	707	527
Cleaning	45	260
Computer expenses	28	2,195
Consulting and professional fees	19,899	900

Statement of activities and changes in net assets

	2017 (\$)	2018 (\$)
Electricity and water	-	936
Filing fees	-	39
Freight and cartage	2,543	1,292
Insurance	2,094	1,912
Newspapers	204	138
Other Employee Costs	-	2,727
Permits, licenses and fees	405	730
Postage	289	412
Salaries	110,766	79,947
Security costs	145	-
Staff amenities	35	9
Subscriptions	232	-
Sundry expenses	3,401	4,729
Superannuation contributions	10,728	7,051
Telephone and fax	2,886	2,860
Travel - domestic	4,649	1,625
Workers compensation insurance	769	780
Accounting fees	9,153	8,129
Conference fees	90	326
Rent	14,429	13,393
Outreach expenses	3,105	2,171
Printing and stationary	1,373	2,583
Surplus/(Deficit)	(11,883)	(44,747)

Statement of Financial Position - 30 June 2018

Assets	2017 (\$)	2018 (\$)
Current Assets		137,567
Cash and cash equivalents	54,803	137,567
Trade and other receivables	150,175	12,086
(Art items purchased not sold)	-	1,990
Other Assets	1,897	2,731
Total Current Assets	206,875	154,374
Other income	172,090	5,009
Non-Current Assets	-	-
Total Assets	206,875	154,374

Liabilities	2017 (\$)	2018 (\$)
Current Liabilities		
Trade and other payables	81,876	16,301
Short-term provisions	518	5,334
Other liabilities	28,486	81,492
Total Current Liabilities	110,880	103,127
Non-Current Liabilities	-	-
Total Liabilities	110,880	103,127
Net Assets	95,995	51,247

Equity	2017 (\$)	2018 (\$)
Retained earning/profit	95,995	51,248
Total Equity	95,995	51,248

Acknowledgements

Thanks to Supporters/Acknowledgements

Counsel & chambers:

Sturt Glacken QC, Owen Dixon Chambers West

James Hutton, Eleven Wentworth

Peter Bellach, John Toohey Chambers

Law firms and lawyers:

Environmental Defenders Office NSW

Environmental Defenders Office WA

Environmental Justice Australia

Top End Women's Legal Service

Darwin Community Legal Service

Charles Darwin University Law School

Ros Vickers

Earthjustice

Noni Austin

Martin Wagner

Arnold Bloch Leibler

Peter Seidel

Bridgid Cowling

Artists and art centres:

Nancy McDinny

Stewart Hoosan

Jacky Green

Munupi Arts

Ikuntji Artists

Warnayaka Art and Cultural Aboriginal Corporation

Buku-Larrnggay Mulka Centre

Maningrida Arts and Culture

Warlukurlangu Artists

Iltja Ntjarra Many Hands Art Centre

Frank Gohier - Red Hand Prints

Art auction supporters:

International Art Services

Simon Dorman - Picture Framing Darwin

Buro North

Lucky Bat café

GalaBid

Matt Ward, Outstation

Arnold Bloch Leibler

Peter Seidel

Sandy Taggert

Amy Maxfield

Jessica Oates

Bridgid Cowling

Julia Suddenly

Jana Favero

Employees & contractors:

David Morris (until September 2017)

Gillian Duggin (from January 2018)

Ingrid Nadjarian

Management committee:

Will Crawford - Chairperson

Kirsty Howey - Public Officer

Neil von Bertouch - Treasurer

(until June 2018)

Steph Booker – Secretary (until January 2018)

Gareth Lewis - Secretary (from March 2018)

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Shar Molloy

Alex Read

Shelley Eder

Margaret Clinch

Tida Nou

Ros Vickers (from April 2018)

General supporters:

Büro North

Australian Ethical Super

Law Society NT

Environment Centre NT

Arid Lands Environment Centre

Lock the Gate

Pew Charitable Trust

Central Land Council

Northern Land Council

Darwin Deckchair Cinema

Northern Territory Government

Lucky Bat Café

Simon Niblock

Jason de Santolo

Sean Kerins

Steph Booker

Ways to Give



