

ENVIRONMENTAL DEFENDERS OFFICE (SA) INC.

ANNUAL REPORT 2016~2017



EDO ENVIRONMENTAL
DEFENDERS OFFICE
(SA) INC

STAFF

Coordinator / Principal Solicitor ~ Melissa Ballantyne

Administrator ~ Gabrielle Bond

MANAGEMENT COMMITTEE

Chair ~ Iris Iwanicki | Treasurer ~ Patricia von Baumgarten

Yvonne Baulderstone, Karen Bubna-Litic, Patrick Bollen,

Richard Cook, Tom Matthews

CHAIRPERSON'S REPORT 2016~2017

Over the last 12 months the South Australian Environmental Defenders Office has continued to provide advice to members of the public on a range of environmental issues, consistent with the organisation's constitutional objective to 'provide legal services (information, advice and representation) to disadvantaged persons and classes of persons for whose needs the services of lawyers in private practice are inadequate'. I think 'disadvantaged' in this context can and does refer to people who have absolutely no or little idea how to become effectively involved or are overwhelmed by changes that affect their environment, whether it be to do with a building of a phone tower, access to sustainable water supplies, species loss, coastal degradation, waste dumps, significant trees or development in public open space. I am not so sure that services of lawyers in private practice are 'inadequate' so much as 'unaffordable' when the public environmental interest is at stake. Our wonderful volunteer lawyers are able to provide initial advice to help people understand what protections exist and how to effectively have a voice. Other volunteers have also helped with background research and support. I would like to particularly thank David Nguyen, our volunteer who researched the background in assisting with a third party written representation opposing the destruction of significant and regulated trees at Glenside.

We continue, within our current capacity, to promote the public interest in environmental legislation, educate and promote legislative reform in an effort to improve environmental laws.

The focus has been particularly on the unfolding legislation associated with planning and local heritage. With respect to local heritage, legislation is not so much unfolding as stalled in response to the recommendations of the Expert Panel back in 2014. The SA government recently announced it would not make changes to heritage laws until after the March 2018 State election.

Consequently, the new planning system is a bit like the Cheshire Cat in Alice in Wonderland. Bits emerge to be seen, but the whole of the body of legislation is yet to be revealed by 2020 and beyond. What will our planning Cheshire Cat finally look like?

The EDO has been following the consultation on the emerging Ministerial Planning and Design Code, functions of the State Planning Commission and approaches to simplifying the planning system and creating an integrated on line platform for all matters related to planning. A positive step in the Ministerial reform process has been to finally recruit extra experienced planners and to seek information from local government to assist the state in establishing a more top down planning process. Greater

levels of Ministerial direction are provided via the Code, rather than previously enabling local government to review and initiate amendments to their development plans. There is to be an interactive state-wide website regarding planning, including applications for development.

Of ongoing real concern is the state's determination to reduce public notification for development and the loss of a balanced representation of local and specialist members in the process of assessing and deciding development proposals. Appeal rights ensure the capacity to challenge planning decisions through the ERD court has become extremely limited, which is of concern.

At the same time, our e-bulletin continues to list the many amendments to a range of legislation relevant to environmental management and I would particularly like to acknowledge and thank committee member Richard Cook for running the e-bulletin over the last 10 years. The bulletin is our regular way to provide information to our members and others, given its wider circulation list.

This year has seen the re-surfacing of the nuclear waste dump issue, the decommissioning of the Port Augusta coal powered electricity plant with resultant dust problems for the residents, power outages, the temporary reduction of exploration in the Great Australian Bight, and continued species loss. These issues will not be going away any time soon, and whether within the Federal or state legislative spheres, pose significant environmental issues for SA.

These and national moves to reduce the viability of environmental groups makes the role of environmental advocacy even more important than before, if rural and urban environments are to be sustainably managed as part of the political stewardship of the state's resources. To continue to defend the environment, there is currently discussion between surviving state EDO bodies around the country regarding the need to advocate more effectively at a national level. While this discussion may lead to a proposal to establish a national EDO (EDOA) the incoming committee will also be considering the implications for our state based services in the longer term.

During the year EDO presented a seminar on public involvement and appeal rights across a range of state statutes affecting the environment, with an interesting range of speakers who presented provided valuable insights into existing and evolving legislative changes. The seminar proceedings are up on the EDOSA website.

Fundraising over the past few years and more recently has involved film evenings, a quiz, a couple of hypothetical debates on heritage and energy, a retro fashion parade, and more recently a foray into the City to Bay run. The latter was recent, and a few stalwart volunteer entrants representing EDOSA raised just over \$2,000 in the current financial year! It was a good way to get fit and do something positive for the EDO as well. Think about incorporating it into your fitness regime next year!

The EDO also celebrated 25 years in South Australia this year, with an Anniversary dinner attended by past founding members and current members in August. On the night, people renewed acquaintances, and celebrated many memories of past events and causes. Our after-dinner speaker, environmental scientist/explorer Tim Jarvis, regaled those attending with his re-enactment of Shackleton's heroic journey in the Antarctic and the nature of leadership.

Which leads me to our local heroes – our volunteers, donors, staff and committee members who have supported the EDO's operations over time, particularly the past twelve months. On behalf of the management committee, a huge thank you for your support and commitment. It is always good to welcome new members to the committee, so I encourage you to consider becoming more active if you have a few hours to spare, either volunteering, sharing ideas or suggestions, or applying to become a member of the management committee.

With Christmas looming, watch for our details of a Christmas picnic in the EDO e-bulletin, in early December in a park somewhere around Adelaide.

Dr Iris Iwanicki, PhD, M.Env.Law, Grad.Dip. Town Planning, BA. Chair, EDO(SA) Inc. Management Committee

TREASURER'S REPORT 2016~2017

REPORT FOR THE 2016/2017 FINANCIAL YEAR:

The 2016-2017 financial year has seen a reduction of \$8,094 in the EDO's net income, from \$-2,249 in 2015-2016 to \$-10,343 in 2016-2017. This is largely due to decreases in grants, funding for projects and donations. Despite all efforts, the EDO is still relying on its savings to maintain its operations.

Staff, volunteers and management committee members continue working at keeping expenses down to the lowest extent possible and generating revenue from fundraising activities. Expenses were reduced by \$23,983 mainly due to reduction in wages (staff worked less hours), superannuation and staff development (\$11,051), consulting fees (\$3,827) and insurance (\$1,262).

Although the year's budget provides for a negative net income of \$10,343, the EDO is still operating despite the lack of contribution from the federal government. The total net asset as at 30 June 2017 was \$76,461.

Revenue

The decline in the EDO's revenue (\$32,077) from \$85,329 in 2015-2016 to \$53,252 in 2016-2017 was largely due to

the decline in other income (\$18,966) and donations (\$15,883).

The reduction of \$18,966 in other income revenue relates mainly to a reduction in funding for projects (\$13,200), advisory service fees (\$738) and seminar fees (\$1,333). The negative difference of \$3,051 in reimbursements also contributed to this decline: the EDO received a reimbursement of software paid for but never received equals to \$4,567 in 2015-2016, and in 2016-2017 the EDO received reimbursement from the ATO related to GST expenses equals to \$1,516.

Other revenue source that also declined by \$4,500 in 2016-2017 was the Law Foundation of SA grant - from \$7,500 in 2015-2016 to \$3,000 in 2016-2017.

Revenue from membership remained largely the same and equals to \$3,352.

The EDO continues to rely on fundraising as one of its key activities. The 2016-2017 financial year saw a fundraising net revenue of \$6,110 compared to \$3,856 in 2015-2016.

The South Australian Department of Environment, Water and Natural Resources contributed with \$15,000 grant to the revenue in 2016-2017.

Expenses

The decline in the EDO's expenses from \$87,578 in 2015-2016 to \$63,595 in 2016-2017, a difference of \$23,983, is largely due to reduction in:

- ◆ Wages - from \$56,484 to \$46,395 (\$10,089)
- ◆ Consulting fees - from \$3,827 to \$0 (\$3,827)
- ◆ Insurance - from \$2,066 to \$804 (\$1,262)
- ◆ Subscriptions and membership fees - from \$1,326 to \$641 (\$685)
- ◆ Depreciation - from \$1,078 to \$539 (\$539)
- ◆ Seminars and staff development - from \$570 to \$46 (\$524)
- ◆ Superannuation - from \$4,543 to \$4,105 (\$438)

The expenses that increased and are noteworthy were:

- ◆ NACLCs & Law Society - from \$0 to \$1,386 (timing of payment of invoices)
- ◆ Staff amenities - from \$68 to \$489 (\$421 - printer colour cartridge allocated to this accounting line)
- ◆ Legal library - from \$22 to \$362 (\$340)

Looking to the future, the continuing support from volunteers, Flinders University, the South Australian Department of Environment, Water and Natural Resources, Law Foundation of SA, members, donors and community in general will ensure that the EDO remains operational as the state's only independent community legal centre that specialises in public interest environmental law.

Patricia von Baumgarten

Treasurer, EDO(SA) Inc. Management Committee

ENVIRONMENTAL DEFENDERS OFFICE (SA) INC.

YEAR ENDED 30 JUNE 2017

Income Statement

Statement of Financial Position

Notes to the Accounts

Statement by Committee of Management

Auditor's Report

ENVIRONMENTAL DEFENDERS OFFICE (SA) INC.

INCOME STATEMENT

YEAR ENDED 30 JUNE 2017

	2017	2016
REVENUE FROM ORDINARY ACTIVITIES		
Law Foundation of S.A. Grant	3000	7500
Donations	18601	34484
Fundraising	7612	3856
Interest	1606	1893
Membership	3352	3324
Other Grants	0	0
Other Income	3706	19272
State Government Grant	<u>15375</u>	<u>15000</u>
	<u>53252</u>	<u>85329</u>
EXPENSES FROM ORDINARY ACTIVITIES		
Accounting and Audit	1139	1204
Advertising and Promotion	0	51
Archives	541	514
Bank Service Charges	670	650
Consulting Fees	0	3827
Depreciation	539	1078
Fundraising Expenses	1502	0
Insurance	804	2066
Legal Library	362	22
NACLCs & Law Society	1386	0
Outreach	283	448
Phone, Fax and Internet	2267	2268
Postage and Delivery	357	425
Practicing Certificates	553	541
Printing and Stationery	217	92
Repayment for Cancelled Project- Dept of Planning	0	9750
Seminars & Staff Development	46	570
Staff Amenities	489	68
Subscriptions and Membership Fees	641	1326
Sundries	670	951
Superannuation	4105	4543
Wages	46395	56484
Workcover	<u>629</u>	<u>700</u>
TOTAL EXPENSES	<u>63595</u>	<u>87578</u>
NET INCOME FROM ORDINARY ACTIVITIES	<u>-10343</u>	<u>-2249</u>

ENVIRONMENTAL DEFENDERS OFFICE (SA) INC.

BALANCE SHEET AT 30 JUNE 2017

	2017	2016
CURRENT ASSETS		
Cash at Bank and on Hand		
Bendigo Bank Cash Management Account	27970	9541
Bendigo Bank Cash Management Trading Account	25719	7290
Bendigo Bank Term Deposits	30571	74326
	<u>84260</u>	<u>91157</u>
Prepayments	<u>0</u>	<u>568</u>
TOTAL CURRENT ASSETS	<u>84260</u>	<u>91725</u>
NON-CURRENT ASSETS		
Furniture, Fixtures & Fittings	<u>540</u>	<u>1079</u>
TOTAL ASSETS	<u>84800</u>	<u>92804</u>
CURRENT LIABILITIES		
Accrued Expenses	992	1838
Provision for Annual Leave	6249	3383
Provision for Long Service Leave	1098	779
Grant In Advance	<u>0</u>	<u>0</u>
	<u>8339</u>	<u>6000</u>
NET ASSETS	<u>76461</u>	<u>86804</u>
MEMBERS FUNDS		
Net Profit/Loss	-10343	-2249
Retained Profits	<u>86804</u>	<u>89053</u>
	<u>76461</u>	<u>86804</u>

ENVIRONMENTAL DEFENDERS OFFICE (SA) INC.

NOTES TO THE FINANCIAL STATEMENTS

FOR THE YEAR ENDED 30 JUNE 2017

This special purpose financial report has been prepared for distribution to the members to fulfil the committee's financial report requirements under the Environmental Defenders Office (SA) Inc.'s constitution. The accounting policies used in the preparation of this report, as described below, are consistent with the financial reporting requirements of the Environmental Defenders Office (SA) Inc.'s constitution and with previous years and are, in the opinion of the committee, appropriate to meet the need of members.

The financial statements have been prepared on an accruals basis and are based on historical costs unless otherwise stated in the notes. The accounting policies that have been adopted in the preparation of these statements are as follows:-

Goods and Services Tax

Revenue, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office.

Non-Current Assets

Office equipment, furniture and fittings are shown at cost less accumulated depreciation.

ENVIRONMENTAL DEFENDERS OFFICE (SA) INC.

STATEMENT BY COMMITTEE

The attached financial statements of the Environmental Defenders Office (SA) Inc. for the year ended 30 June 2017 are, in our opinion, properly drawn up:


- (i) so as to present fairly the financial position and the state of affairs of the organization at 30th June 2017 and the results of its operations for the period then ended;
- (ii) in accordance with the provisions of the Constitution; and
- (iii) in accordance with applicable accounting standards, as disclosed.

As at the date of this statement, there are reasonable grounds to believe that the Environmental Defenders Office (SA) Inc. will be able to pay its debts as and when they fall due.

Dated at Adelaide this day 19 September 2017

Signed in accordance with a resolution of the Committee.


.....
I Iwanicki
Chairperson


.....
P. von Baumgarten
Treasurer

7.13pm

INDEPENDENT AUDIT REPORT

To the members of the Environmental Defenders Office (SA) Inc.

We have audited the accompanying financial report, being a special purpose financial report, of Environmental Defenders Office (SA) Inc., which comprises the statement of financial position as at 30 June 2017 the statement of income for the year then ended, notes comprising a summary of significant accounting policies and other explanatory information, and the Statement by Committee of Management.

The Committee of Management

The Committee of Management are responsible for the preparation of the financial report and have determined that the basis of preparation described in Note 1 to the financial report is appropriate to meet the requirements of the organisation's constitution and is appropriate to meet the needs of the members. The Committee of Management's responsibility also includes such internal control as they determine is necessary to enable the preparation of a financial report that is free from material misstatement, whether due to fraud or error.

Auditor's responsibility

Our responsibility is to express an opinion on the financial report based on our audit. We have conducted our audit in accordance with Australian auditing standards. Those standards require that we comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance whether the financial report is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial report. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial report, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation of the financial report that gives a fair presentation in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the Committee of Management as well as evaluating the overall presentation of the financial report. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Independence

In conducting our audit, we have complied with the independence requirements of the Australian professional accounting bodies.

Electronic publication of the audited financial report

It is our understanding that the Environmental Defenders Office (SA) Inc. may electronically present the audited financial report and auditor's report on its internet website. Responsibility for any electronic presentation of the financial report on the organisation's website is that of

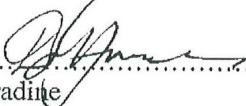
those charged with governance of the organisation. The security and controls over information on the website should be addressed by the Environmental Defenders Office (SA) Inc to maintain the integrity of the data presented. The examination of the controls over the electronic presentation of audited financial reports on the organisation's website is beyond the scope of the audit of the financial report.

Opinion

In our opinion, the financial report gives a true and fair view of the financial position of the Environmental Defenders Office (SA) Inc. as at 30 June 2017 and of its financial performance for the year then ended on that date and complies with Australian accounting standards to the extent described in Note 1.

Basis of accounting and restriction on distribution

Without modifying our opinion, we draw attention to Note 1 to the financial report, which describes the basis of accounting. The financial report has been prepared for the purpose of fulfilling the Committee of Management's reporting responsibilities under the constitution. As a result, the financial report may not be suitable for another purpose.


.....
D. L. Harradine
Chartered Accountant
Dated this 29th day of August 2017

.....
Harradine & Norris-Green
3 King William Road,
Unley, S.A. 5061

STAFF REPORT 2016~2017

OVERVIEW

2016-2017 has been another year of great challenge for the EDO as set out in detail in the Chairperson's report. Whilst funding and strategic planning issues occupied some staff time, we continued providing assistance to the South Australian community. Much of our work involved making submissions in relation to law and policy issues including the planning reform process, regulation of mining activities and biodiversity conservation. However we also provided legal advice and assistance across a wide range of matters as detailed below.

OPENING HOURS

Monday, Tuesday, Thursday 9am—5pm

STAFF

Administrator: Gabrielle Bond (0.5 days per week)

Coordinator / Solicitor: Melissa Ballantyne (2 days pw)

VOLUNTEERS, STUDENTS AND PRO BONO ASSISTANCE

As in previous years, the EDO is extremely grateful for the assistance provided by many volunteers. As well as the lawyers on our volunteer roster and pro bono lists, the EDO has been helped by many students and law graduates. In round figures, this voluntary contribution is roughly equivalent to about three quarters of the paid time put in by EDO staff.

Special thanks to all those mentioned below:

ROSTERED LAWYERS

- ♦ Ruth Beach
- ♦ Michael Doherty
- ♦ Stuart Henry
- ♦ John McElhinney
- ♦ James Blindell
- ♦ Paul Leadbeter
- ♦ Tim Mellor
- ♦ Tim Campbell
- ♦ Felicity Niemann
- ♦ Kyra Reznikov
- ♦ Nicholas Swan
- ♦ Victoria Danambasis
- ♦ Alison Brookman

QUALIFIED LEGAL, LAW STUDENT AND RECENT GRADUATE VOLUNTEERS

The EDO continues to attract quality volunteer legal and general researchers. We have had to turn some offers of help away due to lack of a capacity to provide adequate supervision. Special thanks to the following people who have assisted the EDO during the year with legal research and other tasks:

- ♦ Yvonne Boulderstone
- ♦ Claudia Zimmerman
- ♦ Dejana Graziano
- ♦ Eleanor Parnell
- ♦ Nick Salagaras
- ♦ Gabriella Coote
- ♦ David Nguyen
- ♦ Jack Johnson
- ♦ Patrick Bollen
- ♦ Georgia Weinert

LEGAL ADVICE AND CASE WORK

During 2016-2017 advice was sought from the EDO by a wide variety of individuals, residents groups, special interest groups and environment groups. EDO clients come from varying socio-economic backgrounds and from all regions of South Australia.

By volume, the largest number of cases involved planning issues under the Development Act (50%) followed by pollution issues under the Environment Protection Act (10%). Some other areas of law with multiple clients included local government, native vegetation and water resources.

Staff provide assistance with public interest matters and volunteer lawyers deal with all other non public interest matters. In all 50 clients were provided with advice and case work services (staff - 35 matters and volunteer lawyers-15 matters).

Client advice and case work covered a wide range of topics including:

- ♦ Offshore petroleum regulation
- ♦ Regulation of the nuclear industry
- ♦ Nuclear Waste Facility Citizen's Jury process
- ♦ Compliance with development approvals
- ♦ Protection of significant and regulated trees e.g. the Glenside Hospital site

LITIGATION AND LITIGATION-RELATED ACTIVITIES

Due to continued limited lawyer hours the EDO was only involved in one case this year. The EDO acted for The Wilderness Society SA (TWS SA) in relation to seeking information under the Commonwealth Freedom of Information Act in relation to offshore petroleum exploration proposed by BP Australia.

The documents related to a referral by BP Developments Australia Pty Ltd (BP) under the Environment Protection and Biodiversity Conservation Act 1999 (Cth) (EPBC Act). TWS SA sought to review the decision of the Office of the Australian Information Commissioner (Information Commission) to uphold the decision of the Department of the Environment (Department) not to give TWS SA full access to the documents.

The withheld information consisted of graphs and dot points relating to oil spill modelling by BP and in particular flow rates and resource composition at relevant sites. TWS SA, as an environmental interest group opposing BP's proposal to conduct operations in the Great Australian Bight, had an interest in obtaining that information. Release of the redacted information was initially denied by the respondent and on review by the Information Commission on the basis that it was information which disclosed trade secrets or had commercial value which could be destroyed or diminished if disclosed.

With respect to the contention that the information was a trade secret, TWS SA had two main arguments. First, the data produced as a consequence of a trade secret (in this case the modelling used by BP) was not necessarily itself a trade secret. Second, the information was a very small part of the results obtained by BP and would not necessarily disclose information about the whole of BP's permit area and resource.

With respect to the contention that the information was of commercial value which could be destroyed or diminished if disclosed, TWS SA argued primarily that no evidence had been presented on this point. TWS SA referred to the guidelines under the FOI Act which require that the issue of potential reduction or destruction of commercial value is a factor to be "established separately by satisfactory evidence". The respondent primarily contended that the data had not been made public and was only known to certain employees with BP. Therefore, competitors would be interested in the information, and while 3 years old, it was the most relevant information available.

The AAT held that the redacted information was of commercial value and was therefore exempt. While there was no evidence directly adduced that the information was tradeable with other petroleum companies also

exploring in the Great Australian Bight, no evidence was presented to the contrary. Consequently, the AAT considered that it was inherently plausible that other companies would be interested in the information and thus it was tradeable. As the AAT upheld that the information was exempted on this basis, there was no further consideration by the AAT as to whether the information was exempted on any other grounds.

The case highlights a difficulty for environmental interest groups seeking to obtain information which, a corporate entity argues, is of commercial value and therefore should be withheld pursuant to the FOI Act. Environmental groups will need to obtain evidence that the information is not of commercial value and won't be destroyed or diminished if released. There are obvious practical difficulties of obtaining such information from similar corporates given that an environmental group does not have precise details of the information they are seeking to obtain and the likelihood that similar corporates would not assist with the collection of relevant evidence.

Whilst TWS SA was unsuccessful with its application BP of its own accord released the information a short time after the case concluded. We thank barrister Stephen McDonald for his advice and representation in this matter which he provided on a pro bono basis. Melissa also prepared an article on the case for the December 2016 issue of Australian Environment Review.

A number of other matters were in the category of litigation related activities. We provided advice on a number of occasions on how to conduct third party appeals in the Environment, Resources and Development Court.

ACCESS TO INFORMATION, COMMUNITY LEGAL EDUCATION & SEMINARS

Environmental Law seminars form part of the EDO's Rural Outreach Programme (funded by the State Department of the Environment, Water and Natural Resources). As well as providing free legal advice, most regional visits include presentations to school classes and/or a community workshop.

Our major seminar for this year was an environmental law and policy update. Topics and speakers were: Future directions in nature conservation policy - Jody Gates (Department of Environment, Water and Natural Resources) Environment Protection Air Quality Policy 2016 - Steven Mudge (Environment Protection Authority) Waste Reform Bill - Tiana Nairn / Sally Jackson (Environment Protection Authority) Planning Reform Update - Felicity Niemann

(Wallmans Lawyers) / Dr Iris Iwanicki (Planner). Thank you to all our speakers and volunteers who assisted with this event.

This year we also visited Kangaroo Island. We provided community members with advice on various environmental law matters and also presented on offshore petroleum regulation at a community forum. We also undertook the following work;

We also undertook the following work;

- ◆ Hypotheticals on the issues of built heritage and energy
- ◆ Presented to a Forum on the recommendations of the State Parliamentary Inquiry into Biodiversity Law and Policy reform
- ◆ Presented to TAFE environmental compliance students on the work of the EDO
- ◆ Attendance at Flinders University Environment Day event
- ◆ Interview with Today Tonight in relation to regulation of significant trees

PUBLICATIONS AND WEBPAGE

Our e-Bulletin continued to be produced. The e-Bulletin is a fortnightly publication, compiled by volunteer Richard Cook. It details the latest relevant South Australian and Commonwealth environmental law notices, events and inquiries. Many thanks to Richard for his continuing work on this important publication which continues to generate great feedback from the public.

As in recent years, we have focused on web-based materials rather than paper resources as electronic technologies are widely used by our client base. However, we continue to print and post materials if requested.

LAW REFORM AND RESEARCH

The EDO continues to be active in promoting reform of environmental laws. During 2016/2017 we were involved in 20 activities of this type.

Our law reform work includes submissions to government departments and parliamentary committees on proposed legislation as well as our own law reform agenda. Not all of these resulted in EDO submissions as many involved giving assistance to conservation clients with their submissions. Copies of EDO submissions are available on our web site and promoted through our Facebook page.

This year we were pleased to finalise our project reviewing public participation in SA's environment and planning laws. A report was completed which included proposals for law reform and this report was launched at a community forum. This forum also discussed public engagement in several practical situations including planning decisions. We thank our speakers Lisa Teburea, Alison Brookman and Dan Popping for their contribution to this forum. Special thanks to EDO Management Committee member Karen Bubna-Litic for her significant contribution to this project as well as volunteers Yvonne Baulderstone, Gabriella Coote, Claudia Zimmerman and Dejana Graziano. Finally we thank the Law Foundation of SA for funding this project.

The report led to two radio interviews and an article in the Messenger newspaper. We are continuing to promote the report's recommendations.

We also undertook work in the following areas:

- ◆ Review of State Parliament Report on Biodiversity and preparation of conservation sector response
- ◆ Monitoring and response to stepped introduction of new planning system which included meetings with community groups to discuss roll out of new planning laws
- ◆ Engagement in the review of SA's mining laws which included meetings with Department of Premier and Cabinet representatives, conservation sector representatives and culminating in the preparation of submissions on the Mines and Works Inspection Act and the Mining Act. Special thanks to Management Committee member Alex Wawryk for her assistance in this process
- ◆ Meetings with conservation groups and DEWNR culminating in a submission on new regulations under the Native Vegetation Act
- ◆ Met with conservation groups regarding proposed reforms to regulation of built heritage and preparation of submission with EDO Chairperson Iris Iwanicki.
- ◆ Research into changes to proposed guidelines for decision making on offshore petroleum activities
- ◆ Developing State election law reform asks with Iris and Glashaus
- ◆ Meeting with politicians David Spiers and Vickie Chapman
- ◆ Follow up on changes to SA's Air Quality Environment Protection Policy
- ◆ Submission and discussions on draft Noise Environment Protection Policy

- ◆ Attendance at a NOPSEMA forum on Transparency in offshore petroleum regulation
- ◆ Attendance at discussions with DEWNR regarding changes to methods for listing threatened species
- ◆ Attendance at meetings of the Conservation Council SA Environmental Standing Committee on Planning
- ◆ Attendance at a forum on nature conservation law and policy reform
- ◆ Attendance at meetings with conservation groups, DEWNR and the SA Environment Minister regarding various issues including changes to the National Parks and Wildlife Act
- ◆ Attendance at a meeting of conservation groups and the EPA regarding the compilation of the next State of the Environment Report
- ◆ Attendance at first meeting of community panel tasked with preparing a draft Community Engagement Charter to apply to the development of planning policy
- ◆ Collaboration with community groups regarding development of the Community Engagement Charter including preparation of a media release

FUNDRAISING ACTIVITIES

As a consequence of our ongoing funding issues EDO staff participated in various events including a film night and two hypotheticals on heritage and energy.

FLINDERS UNIVERSITY

Flinders University again provided invaluable support to the EDO through sponsored accommodation and meeting spaces. We thank Flinders University for their ongoing support and look forward to furthering our relationship into the new year. This year we were very pleased to work with Flinders University in the following ways:

- ◆ Law students undertaking research and other tasks
- ◆ Participation in the Flinders Student Association world environment day activities- stall and speaker on guest panel
- ◆ Joint presentation of a community forum on environmental law and policy issues
- ◆ Guest lecture to Society and Justice policy students
- ◆ Attendance at Flinders University presentation: Legal Innovation Disruption and Access to Justice Roundtable
- ◆ Presentation of Built Heritage Hypothetical

STAFF DEVELOPMENT

Staff attended seminars and information sessions on the following topics:

- ◆ Legal innovation roundtable
- ◆ Unrepresented Litigants
- ◆ Impacts of mining on groundwater
- ◆ Ethics
- ◆ Cybersecurity

NETWORKS

The Australian network of EDOs (EDOs of Australia) supports the staff of EDO offices across the country and coordinates national activities such as submissions on changes to Commonwealth environmental laws. Staff participated in regular phone link ups of the network with the primary topic being the proposal for a national organisation.

Staff also attended meetings of the South Australian Council of Community Legal Services including a strategic planning session as the sector went through a tender process.

OTHER ACTIVITIES

There are a wide range of other activities were carried out by staff to keep our service functioning and accountable. These include:

- ◆ Reporting to funding bodies
- ◆ Preparation of financial documents including the annual budget
- ◆ Bookkeeping
- ◆ Participation in the professional indemnity insurance review scheme
- ◆ Preparation for and attendance at various service meetings
- ◆ Data entry including learning new system (CLASS)
- ◆ Organising the volunteer advisory service
- ◆ Quarterly reviews of all client files
- ◆ Updating office equipment and information technology

Work also continued with accrediting our service in accordance with the national process applying to all community legal centres. Accreditation was successfully achieved for a second time in May 2017 and we continue to work on policies with the aim of achieving best practice in our work. Thank you to Shoma Roy for her assistance with this project.

MEDIA

When approached by media outlets, EDO comment is generally limited to broad legal issues (including law reform) with requests for more specific media comment on particular issues being referred to appropriate clients. This year, we have conducted several radio interviews on public participation in environmental decision making and one television interview on urban vegetation. Our Facebook page has also proved significant and has raised the profile of and support for the EDO. We are also in the process of developing our profile on LinkedIn.

ACCESS AND EQUITY

Volunteer solicitors provide advice to clients as part of the Thursday evening Advisory Service. Demand for this service has been fairly steady with an average capacity for two appointments each week. The Thursday evening service is the first point of face-to-face contact between the EDO and some of its clients, however urgent issues, public interest matters, issues raised by conservation groups and country clients are usually dealt with by the staff solicitors.

The EDO toll free advice phone number (1800 337 566) continues to be used extensively by rural clients. The toll free number is listed in all South Australian country telephone directories. The funding for the toll free number is from the South Australian Department of the Environment, Water and Natural Resources as part of their continuing support for legal advice to country clients through outreach visits and country phone inquiries.

The EDO does not impose a means test on clients because our main criterion for providing ongoing assistance is “public interest”. In the past, all clients whose problem falls within the definition of “environmental law” have been accommodated at our Thursday advisory service. In any event, ongoing assistance depends on meeting the public interest criterion. All clients are charged an administration fee at the time of receiving legal advice.

THANK YOU

The EDO staff greatly appreciate the continued support from all members and volunteers who have freely and willingly given their time to the EDO. Without volunteer support, the EDO would not be able to provide services to the people of South Australia and to the environment. Special thanks go to the EDO Committee of Management, particularly our office bearers: Chairperson, Iris Iwanicki and Treasurer Patricia von Baumgarten. Our thanks also go to:

- ◆ Law Foundation of South Australia—grant for public participation project
- ◆ South Australian Department of the Environment, Water and Natural Resources —country outreach, litigation support and other funding
- ◆ Flinders University—accommodation
- ◆ Glashaus – Sam Taylor and Rupert Hogan-Turner – for assistance with strategic planning
- ◆ Brian Donaghy—fundraising
- ◆ IT on the road
- ◆ Norman Waterhouse Lawyers—Government Gazette
- ◆ Giulio Cirillo—accountant
- ◆ Total Computer Solutions—for National EDO Network web page
- ◆ Jenny Norris-Green—audit
- ◆ Temple Bruer Wines—in kind sponsorship with great wine!
- ◆ All our wonderful supporters who have given donations or have provided assistance in some way

Melissa Ballantyne
Coordinator / Solicitor

Gabrielle Bond
Administrator