



EDO Qld.

Environmental Defenders Office

*Using the law to protect
our environment.*

ANNUAL REPORT

2014-2015

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Our Mission: Empowering the community to use law to protect our environment.

Our Goals: To protect clean air, soil and water for healthy communities; to preserve wonderful nature, the Great Barrier Reef and wildlife; to advance clean energy and to combat climate change.

Who we are: We are your lawyers for the environment, driven by a commitment to justice and a passion for nature.

We provide the community with legal advice and court representation, we advocate for laws that protect nature and your rights and we empower the public through legal education.

We are not-for-profit and public interest.

We are Queensland's leading community environmental legal centre.



Environmental Defenders Office (Qld) Inc.
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 PH: 07 3211 4466
 Email: edoqld@edoqld.org.au
 ABN 14 911 812 589

EDO Qld - committee and staff 2014-2015

Management Committee

Michelle Maloney	Chair
Vikki McLeod	Secretary
Anne-Maree Elliott	Treasurer
John Stannard	
James Dillon	
Nicholas Tucker	
Amy Park	<i>(to February 2015)</i>

Staff changes: As a result of EDO Qld's organisation planning process, changes were made this year to EDO Qld's staffing structure.

Jo-Anne Bragg became Chief Executive Officer, Sean Ryan became Principal Solicitor, Andrew Kwan was appointed Senior Solicitor and Bronwyn Bell, formerly Office Manager, became Operations Manager.

Shani Tager, our valued Admin Assistant for 3½ years, left EDO Qld in September 2014 to join Greenpeace Australia. Rana Koroglu left us in February 2015 to join EDO NSW. We welcomed Tanya Moir & Jolee Wakefield to the team in March 2015, and Cara Mahoney in April.

Staff

Jo Bragg	Chief Executive Officer, Solicitor
Sean Ryan	Principal Solicitor
Andrew Kwan	Senior Solicitor
Michael Berkman	Solicitor
Rana Koroglu	Solicitor, Law Reform <i>(to Feb 2015)</i>
Revel Pointon	Solicitor
Juanita Williams	Solicitor
Cara Mahoney	Solicitor, Law Reform - part time <i>(from April 2015)</i>
Evan Hamman	Solicitor - Casual
Bronwyn Bell	Operations Manager
Tanya Moir	Admin Assistant <i>(from March 2015)</i>
Tamara Savage	Admin Assistant - Part-time
Shani Tager	Admin Assistant - Part-time <i>(to Sept 2014)</i>
Saren Starbridge	Admin Assist/events - Casual
Paul Perovic	Fundraising & Communications
Christine Grodd	Data Entry - Casual
Flynn Rush	Research Assistant - Casual
Jolee Wakefield	Media Adviser - Part time <i>(from March 2015)</i>



EDO Qld staff, June 2015. From left: Paul Perovic, Jo-Anne Bragg, Andrew Kwan, Tanya Moir, Bronwyn Bell, Juanita Williams, Tamara Savage, Sean Ryan, Revel Pointon, Michael Berkman.

Management Committee Report 2014 - 2015

This has been an exciting year for EDO Qld and our Board. Through our supporters and staff, we have run internationally important litigation to scrutinise the costs and benefits of Galilee basin coal mining projects, and to protect the climate, the Great Barrier Reef, groundwater and biodiversity. Our legal reports have been tabled with UNESCO and have been influential in bringing pressure to bear on Federal and State decision makers to improve laws relating to the Great Barrier Reef.

In addition to this impressive body of litigation, we have also continued to focus on our other core areas of work – legal advice, legal education and law reform. As part of our commitment to ensuring access to justice, within our resources, we have continued to provide legal advice to individuals and groups - large and small - who want to protect the environment. We have done this by running and supervising our weekly volunteer legal advice line. Our law reform has continued to achieve results, such as helping to restore community objection rights to major mine projects. Our Lawjams and educational events have brought excellent debates on current environmental legal issues to localities around South East Queensland.

I want to acknowledge the high quality work undertaken by each and every one of our staff, led by our CEO Jo Bragg, our Principal Solicitor Sean Ryan and our Operations Manager Bronwyn Bell. Also Andrew Kwan, Michael Berkman, Rana Koroglu, Revel Pointon, Juanita Williams, Cara Mahoney, Evan Hamman, Tanya Moir, Tamara Savage, Shani Tager, Saren Starbridge, Paul Perovic, Christine Grodd, Flynn Rush and Jolee Wakefield.

I also wish to acknowledge the hard work by our Management Committee members and our staff in strengthening the EDO through strong organisational development. This financial year saw another 12 month period where the work of the EDO was entirely funded by philanthropic and citizen support. We now have a strong strategic plan, detailed fundraising plan and revised mission statement. This year has also seen an operational restructure where we now have a Chief Executive Officer - Jo Bragg, Sean Ryan has very capably

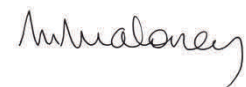
taken over the role of Principal Solicitor and Bronwyn Bell has continued her critical work for the EDO as Operations Manager. We also have an excellent part time fundraiser - Paul Perovic - and also for the first time, a part-time media adviser, Jolee Wakefield.

Our Committee members have done a sterling job. With Anne-Maree Elliot as Treasurer, Vikki McLeod as Secretary and committee members John Stannard, Nick Tucker and James Dillon – everyone has contributed in different ways to the running and strategic direction of the organisation. I am sorry that due to personal and job commitments both James Dillon and John Stannard are stepping down this year. I thank all the committee members for their contributions. We will miss John and James.

And of course we must thank everyone who volunteers for the EDO. We extend a warm thank you to the many lawyers, law student and committee volunteers who have made such a great and essential contribution to the EDO Qld office.

This new financial year has brought a range of new challenges and developments. We welcome the promised restoration of State Government funding, but as this funding will only be a small proportion of our overall operational needs, for the long term, our future will see us continuing initiatives to raise funds from the broader community.

As always, we extend a heartfelt thank you to those individuals and groups who have made and continue to make financial contributions to the EDO. Our success is entirely built on your support, and the EDO would not exist without the faith and trust of the Queensland community. Thank you to everyone who supports our work – we're looking forward to another year of great outcomes for the people and natural environment of Queensland.



Dr Michelle Maloney

Chair
EDO Qld

Highlights 2014-2015

EDO Qld conducted the **largest community-led environmental case** in Australian history; representing Coast & Country Queensland in their Qld Environment Court objection to Adani's Carmichael Mine



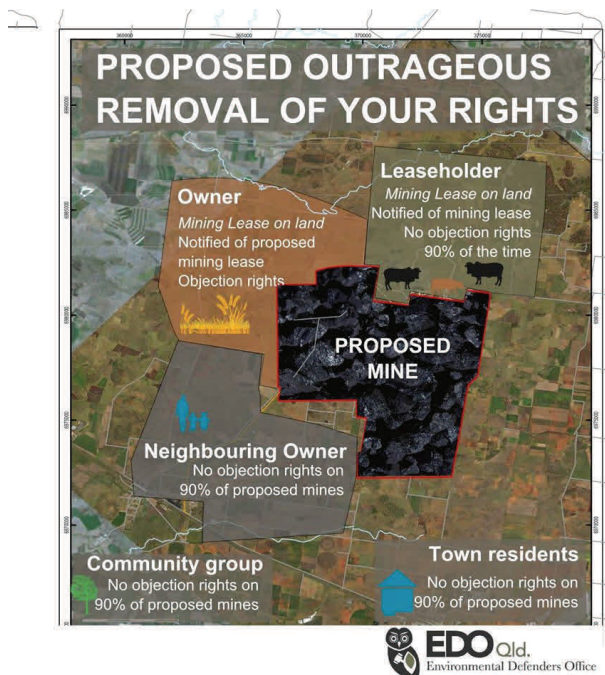
Advice Line provided legal advice to 113 individuals and community groups on a wide range of public interest environmental matters.



EDO Qld represented conservation groups in four separate court cases directly relating to **protection of the Great Barrier Reef**, contributing to the historic new ban on dumping dredge spoil in the Great Barrier Reef World Heritage Area



Provided legal advice and support to the **Fight for the Reef** team, including reports used in submissions to UNESCO.



EDO Qld's email Law Alert now has 5000+ subscribers.

EDO Qld and Lock the Gate successfully pressured the State Government to restore community objection rights for major mining projects.

Hundreds of people attended **EDO Qld LawJam** events on environmental law issues.



Climate Change & Mining Litigation

Adani Carmichael Coal Mine objection

- 14 witnesses, including 12 experts
- 5 weeks of hearing
- 240+ pages of written closing submissions with 1,100 footnotes on evidence
- 300+ media mentions
- Thousands of hours of solicitor and barrister time; hundreds of hours of volunteer time
- 25+ days of site visits, including site visit by the legal team, experts and Land Court
- 501 documents filed and 144 documents tendered in Court, a total of 60,300+ pages

On behalf of our client, Land Services of Coast and Country Inc, EDO Qld conducted the largest community-led environmental case in Australian history. This five week case proved the importance of the independent Land Court public objection process to scrutinise applications for major mines. Independent witnesses, including those called by the mining company, showed that the applicant grossly overstated to the public the number of jobs, and economic benefits; that the mine will destroy the core habitat of endangered Black-throated Finch; the burning of coal will cause damage to the Great Barrier Reef from climate change and ocean acidification; and that the mine may threaten the ancient springs estimated to be one million years old. None of this would have been uncovered without this case.

One of the unique advantages of litigation is that the miner/ developer has to find people to swear to the truth of their claims.

This can result in evidence which departs dramatically from the claims they make to the public and decision makers during the rest of the approval process.

That was particularly evident in this case, where Adani could not find employees or experts to support many of their earlier public claims.

Some of the most astounding evidence came from Adani's own witnesses.

Alpha Coal Judicial Review

EDO Qld represented Coast and Country Association of Queensland Inc (CCAQ) who sought judicial review in the Queensland Supreme Court of the 8 April 2014 Land Court decision on the massive Alpha coal mine in central Queensland. The Land Court made recommendations to the Queensland government to either refuse the approvals for the project or approve the project with additional groundwater conditions. The judicial review of the Land Court decision is based on the grounds that the law does not allow the Land Court to recommend both refusal and approval with conditions and the law requires the indirect environmental harm, in the form of climate change impacts from the transport and use of the coal, to be considered.

Update: Judgement was delivered in September 2015, upholding the Land Court's decision. Our client has launched an appeal.

Kevin's Corner

EDO Qld is representing Coast and Country Association of Queensland Inc (CCAQ) in their objection against the approval of the Mining Lease and Environmental Authority for Hancock Galilee Pty Ltd, a wholly owned subsidiary of the GVK Group. Adjacent to the Alpha coal mine, the Kevin's Corner mine involves an open-cut and underground coal mine. The mine is situated in the Galilee Basin in the catchment of the Burdekin River which flows into wetlands and the Great Barrier Reef. The objections of CCAQ against the recommendation to approve the mine are centred upon the issues of impacts to groundwater, economics and the public interest.

Our client is concerned that the Kevin's Corner application relied on the same flawed groundwater assessment as the Alpha mine.

Update: The hearing took place in the Land Court of Queensland between 19 to 30 October 2015 and is now awaiting a decision.

Litigation to protect The Reef

Great Barrier Reef Dredging Case

EDO Qld acted for Mackay Conservation Group (MCG) in their challenge to Minister Hunt's approval of (as well as conditions placed on) the North Queensland Bulk Ports Corporation's (NQBP's) application to undertake a program of dredging and dumping near Abbot Point to facilitate development of three new proposed port terminals. MCG claimed there were a number of errors of law in Minister Hunt's EPBC Act approval. Of particular importance to the case were the requirements under s137 of the EPBC Act that the Minister's decision cannot be inconsistent with the World Heritage Convention or the Australian World Heritage Management Principles.

In June 2015, changes to the Great Barrier Reef Marine Park Regulations commenced to ban capital dredge spoil dumping in the Great Barrier Reef Marine Park, which means that NQBP is unlikely to act on the approval. *As a result, in November 2015 MCG withdrew the case.*

Great Barrier Reef Sea Dumping Case - Abbot Point

EDO Qld acted for North Queensland Conservation Council in an Administrative Appeals Tribunal challenge of the decision of Minister Hunt (responsible for the decision of his delegate at the Great Barrier Reef Marine Park Authority) to grant a permit for the dumping of up to 3 million cubic meters of dredge spoil in the Great Barrier Reef Marine Park and World Heritage Area. The dumping permit had been requested by NQBP as part of its proposal to make the port of Abbot Point one of the biggest coal export facilities in the world. NQCC's application was filed in February 2014, and asserted that the decision to grant the permit was not correct given the requirements of the *Environment Protection (Sea Dumping) Act 1981*. In particular, NQCC contended the decision was inconsistent with the London Protocol, an international agreement which includes the obligation to prevent, reduce and where practicable eliminate pollution caused by sea dumping. In June 2015, changes to the Great Barrier Reef Marine Park

Regulations referred to in the MCG case above commenced and the dumping permit became redundant. The parties then agreed to AAT orders to cancel the permit and the matter was finalised.

Judicial Review of rushed assessment to dump on Caley Valley Wetlands

EDO Qld represented North Queensland community group, the Alliance to Save Hinchinbrook (ASH), in seeking judicial review in the Federal Court of Environment Minister Greg Hunt's rushed assessment of the decision to dredge and dump on the Caley Valley Wetlands. This case challenged early stages of the Federal assessment, alleging errors of law in Minister Hunt's decision to allow assessment by preliminary documents and to allow a short public consultation period. The case is now closed as the new Queensland Government officially withdrew its applications to Federal Environment Minister Hunt on 12 March 2015, following the announcement that they would not dump dredge spoil on the Caley Valley wetlands.

Great Barrier Reef Sea Dumping Case - Hay Point

EDO Qld acted for Australian Marine Conservation Society in reviews in the Administrative Appeals Tribunal of decisions made to allow NQBP to off-shore dump maintenance dredge material from the Port of Hay Point, near Mackay, in the Great Barrier Reef Marine Park and World Heritage Area. AMCS held concerns about the validity of the impact modelling, the risk to corals from the dredge spoil and whether North Queensland Bulk Ports had done enough in assessing alternative options to dumping concerns about water quality impacts. After AMCS filed its statement of facts and contentions in February 2015, the Minister and GBRMPA sought 90 days to reconsider the decisions made under the *Environment Protection (Sea Dumping) Act 1981* and Great Barrier Reef Marine Park Regulations. At the end of the period, NQBP indicated that it no longer intended to act on the permits.

The permits were revoked by the Minister and GBRMPA and the AAT proceedings were resolved.

EDO Qld legally represented conservation groups in four separate court cases directly relating to the protection of the Great Barrier Reef. This contributed to the government stopping dangerous plans to dump dredge spoil from the Abbot Point port expansion in Reef waters as well as on the internationally significant Caley Valley Wetlands. These cases contributed to the historic new ban on dumping capital dredge spoil in the Great Barrier Reef World Heritage Area.

Law Reform

EDO Qld's law reform arm has been very busy in the last year! After the election was called in January we set out the elements of environmental law reform needed and sent to major political parties for comment. Since the election we have done our best through meetings with politicians and government, detailed legal submissions and holding public law jams to improve our laws.

We appreciate the donations received from community supporters, that have helped us continue with vital law reform work.

Thanks to the hard work of Rana Koroglu, and then Revel Pointon, EDO Qld has achieved much on law reform this year. Our law reform work has crossed possibly all areas of environment and planning law over the past year, however a key area of our law reform work is now focused on improving protections for the Great Barrier Reef. EDO Qld are proud to be the solicitors advising the Fight for the Reef campaign, jointly run by WWF and the Australian Marine Conservation Society. Our work to protect the Reef spans from working with the Government to implement legislation that protects the Reef from port development to ensuring our new planning framework provides adequate regulation of development in Reef catchments.

Some of our most significant successes over the past year:

- **The last minute midnight amendments to take away community objection rights to the environmental impacts of the biggest mines under the *State Development and Public Works Organisation Act 1971* (Qld) were repealed in July 2015.**

The fast repeal of these atrocious laws on the ALP taking power would most likely not have occurred so quickly without the prominent advocacy led by EDO Qld after the amendments commenced in September 2014.

EDO Qld continues to work with the government to ensure the rest of the amendments made to reduce community objection rights to mines, which have not yet commenced, are also repealed. We are also seeking improvements to community objection rights such as the introduction of objection and appeal rights for the exploration phase, which can lead to significant impacts to landholders and the environment.

- **Working closely with the Queensland Government Ministerial offices and departments to finalise the Sustainable Ports Development Bill 2015 – the advocacy of EDO Qld as part of the FFTR campaign achieved numerous key amendments to this Bill to ensure it provides the strictness and most accountable regulations to protect our Reef.**

We are hoping the Sustainable Ports Development Bill, prohibiting sea dumping of capital dredge spoil in Queensland waters and bringing in tough new restrictions on port development, will be passed on the day of our 2015 AGM!



May 2015: Jo-Anne Bragg, Revel Pointon (both EDO) and Louise Matthiesson (WWF): scrutinising the Ports Bill which limits port expansion and restrict capital dredging

- **Providing detailed analysis to UNESCO World Heritage Committee (WHC) as to the inadequacies in the Queensland and Australian government's management of our Reef.**

This analysis was provided to support a WWF report to assist the UNESCO WHC to determine whether our Reef's World Heritage status should be amended to 'in danger'. Further to this work, EDO Qld also

provided in-depth submissions on the draft Reef 2050 Long-Term Sustainability Plan; the Reef 2050 Plan holds the commitments agreed to by the Queensland and Commonwealth governments to demonstrate their intent to improve their management of the Reef.

Happily, UNESCO WHC decided that our Reef should retain its current World Heritage status, as long as the governments implement the commitments made in the Reef 2050 Plan. EDO Qld have since been working closely with the government, other conservation groups and the FFTR campaigners to ensure that the government meets the myriad of commitments in the Reef 2050 Plan.

This past year EDO Qld have made back-to-back detailed submissions on environmental law reform proposals, produced numerous template submissions to assist the community, and appeared at many Parliamentary Committee hearings to defend our environment and community rights to participate in decision making that affects our environment.

We have met with countless Ministers, Ministerial advisers and bureaucrats over the past year to advocate for law reforms to protect our environment and community rights in decision making. We sit on government forums on key reform agenda issues, such as the Water Reform Forum, which is relevant to topics such as the proposed statutory right to associated water for mines amongst other matters, and the Vegetation Management Forum, through which the govern-

ment hopes to be able to find a way to introduce restrictions on vegetation clearing without public outcry.

EDO Qld also sits on the Resources Community Roundtable on behalf of the Queensland Conservation Council – although resource management is a key focus of our work, EDO Qld has regrettably not been invited to participate on the Resources Community Roundtable.

With the Queensland government closing its first year in office and formalising its policy positions, our law reform work is getting increasingly busy while we seize on all opportunities to improve our laws. We are glad the current government is more committed to community consultation and is working with us for law reform. However, the fact that we have a minority government means we have to work three times as hard in our advocacy to ensure we succeed in obtaining the necessary changes in Parliament.

There is a lot of work still to be done to ensure Queensland meets its commitments to amend its regulations to protect the Reef, as well as generally improving the standard of environmental protections and community rights in Queensland.

Thank you to all those who have assisted in our law reform work this past year! We couldn't have done it without the work of our supporters and donors who also believe we have to stand up and be heard to protect our environment and community rights.

Find out more about EDO Qld's Law Reform work at www.edoqld.org.au

Protecting the Reef

We acknowledge the generous support of The Thomas Foundation, who have donated funds again this year towards EDO Qld's work with WWF and AMCS to protect the Great Barrier Reef.



- EDO Qld provided ongoing advice to WWF's regular queries relating to Reef protection issues and Reef Advice work for EDO Qld to the Fight for The Reef (FFTR) Campaigners.
- We provided valuable legal input into documents including the Reef 2050 plan.
- EDO Qld contributed to Fight For The Reef's successful lobbying of UNESCO World Heritage Committee, by providing extensive legal advice and summaries to FFTR on the failures of the regulatory framework protecting the Reef, which was



referred to the WHC in the WWF/AMCS report 'Greater Barrier Reef World Heritage Area – Concerns and Solutions' in February 2015.

Advice Line

This financial year, EDO Qld provided legal advice to 113 individuals and community groups through our weekly evening Advice Line, which is conducted by volunteer solicitors and student researchers, under the supervision of an EDO Qld Solicitor. Advice was given on a wide range of public interest environmental matters, including pollution and toxic runoff, wetland and waterway protection, preservation of bird and koala habitat, protection of threatened species, and making submissions on inappropriate development.

To our Advice Line volunteers – thank you!

Advice Line - SOLICITORS

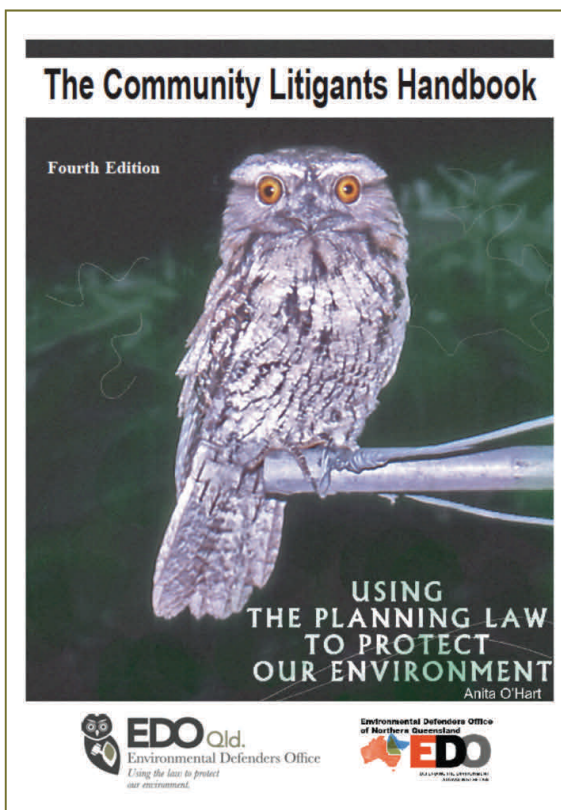
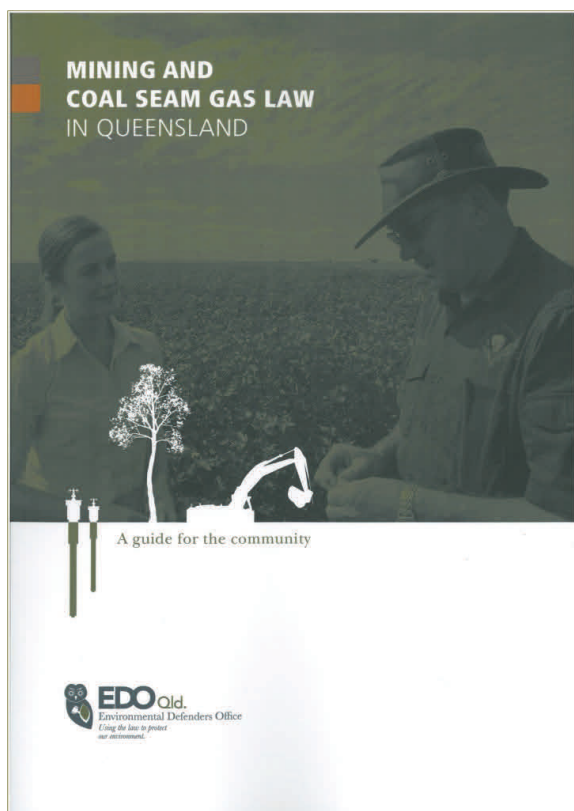
Nick Lichti
Susan Cleary
Peter van Eps
Andrew Dunn
Scott Thackeray
David Ramsay
Caitlin Lloyd
Sam Kay

Advice Line - STUDENTS & GRADUATES

Alison Rose
Melinda Simmons
Christy Englezakis
Lauren Ash
Bianca Shaw
Lucy Hannah
Sophie Betts
Jessica Guertin

Publications

Work continued on the second edition of the EDO Qld publication *Mining and Coal Seam Gas Law in Queensland: A Guide for the Community*. We thank Evan Hamman and Flynn Rush for their hard work on this project, which was made even harder by the changing legislative landscape in Queensland (including a change of government). This book, and *The Community Litigants Handbook - Fourth Edition* continue to sell well.



Talks & Presentations

In recognition of EDO Qld's expertise in environmental law, EDO Qld solicitors are invited to speak at a variety of public events. Here are some of this year's highlights:

- Principal Solicitor Sean Ryan spoke at the **IUCN Academy of Environmental Law Colloquium** in Tarragona, Spain, 03.07.2014
- CEO Jo-Anne Bragg addressed the **National Environmental Law Association conference** in Sydney, 21.11.14, about EDOs and public interest law.
- Solicitor Michael Berkman and client Derec Davies gave a presentation at the 2014 **Woodford Folk Festival** about the Alpha Coal case.
- Solicitor Revel Pointon addressed the **Planning Institute of Australia seminar** "Engaging the Community at the Plan Making and DA stages" 02.06.15
- Solicitor Michael Berkman spoke at the **Wilderness Society's World Environment Day Celebration** 05.06.15

LawJams

LawJams are EDO Qld's free community legal education events. Academics, independent experts and representatives of government joined EDO Qld lawyers to speak on a range of environmental law subjects in 2014-15. The audiences grow larger with every event.. Thanks to EDO member Dr Vikki Ullman for assisting with chairing LawJams.

- September 2014: **Proposed changes to Queensland Planning Laws**. EDO's Rana Koroglu, Principal Planner David Corkill of Buckley Vann and James Coutts from the Department of State Development Infrastructure and Planning, at Brisbane City Square Library.
- October 2014: **The Water Act**. EDO's Revel Pointon and Dr Andrew Brooks, a Senior Research Fellow with the Australian Rivers Institute at Griffith University, at Griffith Eco Centre.
- April 2015: **Mining objection rights** and promises by the new government. EDO's Revel Pointon and Jo-Anne Bragg, with Drew Hutton of Lock The Gate, at Spring Hill.
- May 2015: **Threats to DGR status** for environmental Groups. EDO's Jo-Anne Bragg and Louise Matthiesson of WWF, at Griffith Eco Centre.
- June 2015: **Great Barrier Reef Laws**. Speakers: Minister for the Environment and Great Barrier Reef Dr Steven Miles, scientist Dr Selina Ward, WWF Reef campaigner Louise Matthiesson, and EDO solicitor Andrew Kwan. Our biggest Law Jam yet – over 100 people attended this event, which was hosted by QUT at their Gardens Point campus.

At the June 2015 LawJam:
Minister Steven Miles, *centre*,
with EDO Qld solicitors Andrew
Kwan, Paul Perovic, Sean Ryan,
Revel Pointon and
Michael Berkman.



Volunteer Students & Graduates

Volunteering for EDO Qld offers students an opportunity to gain experience in public interest environment law. Volunteers make an invaluable contribution to our work and increase our capacity to provide legal advice to individuals and the community seeking to use the law to protect the environment. As well as students who apply to us directly, we welcome graduates on placement for PLT, and have good relationships with partner universities offering formal volunteer programs :

- Manning Street Project: students conduct law reform research for EDO Qld each week at a clinic held at Caxton Legal Centre.
- UQ ProBono Clinic – 3 students each semester spend one day a week volunteering at EDO Qld to gain practical experience in law
- QUT CELL (Community Engaged Learning Lab) project. Students engage in a semester-long project for EDO Qld.

Thank you to this year's student and graduate volunteers:

Lauren Ash	Emma Kime	Flynn Rush
Stefano Barbagallo	Stephanie Lagerstedt	Cory Scherer
Mariko Castillo	Ruby Mackenzie-Harris	Adam Sillett
Daniel Challis	Jordan Mathas-Carleton	Anna Simpson
Eva Coggins	Caitlin McPhee	Taranjeet Singh
Angeline Daniels	Kendall Messer	Vanessa Stokell
Christy Englezakis	Gabrielle Minards	Emma Szczotko
Michael Fitzgerald	Zhara Nash	Matt Turner
Sean Goodwin	Charlotte Nguyen	Dan Tweedale
Lucy Hannah	Clara O'Loghlin	Caitlin Walker
Emma Hartley	John Paik	Bonny Wallace
Kerrie Kahlon	Alison Rose	Melissa Ward

Barristers and Experts

EDO Qld extends thanks to the Barristers and experts who have given their time either pro bono, or for reduced fees, to enable our clients to bring their important cases to court.

Barristers

Dr Chris McGrath
Stephen Keim SC
Saul Holt QC
Robert Quirk
Dr Christopher Ward SC
Mark Hinson QC
Jonathan Horton QC
Peter Callaghan QC
Judy Brien
Anastasia Nicholas
Angus Scott
Sally Robb
Francis Walsh

Experts

A/Prof John Webb
Rod Campbell
Prof Adrian Werner
Dr Richard Denniss
A/Prof Malte Meinshausen
Prof Ove Hoegh-Guldberg
Tim Buckley
Lindsay Agnew
Dr Mike Olsen
Brett Miller
Jon Brodie
Prof Michael Raupach
A/Prof Martine Maron

Fundraising

After the withdrawal of all government funding in 2013, raising funds has been constant hard work and a constant challenge. Even though we are very efficient and have low overheads, a large amount has been required.

In 12 months we almost doubled our Twitter followers (297 to 580) and Facebook followers (1,707 to 3,123) and increased our subscriber list by more than 350% (680 to 2,500 - and then to 5,000 by October 2015). Increased subscribers is part growing our donor base.

July 2014 saw the end of our first major fundraising campaign, which grossed more than \$75,000, not including an additional \$15,000 from the community on top of the campaign.

Environment groups showed us their support by holding their own fundraising events, such as the kind people at WPSQ Gold Coast who held a benefit dinner, raising over \$1,000.

In September the people of West End again voted us their charity of choice in the Grill'd Local Matters Program. That same month we were the beneficiary of a Sydney art exhibition.

EDO Qld staff, volunteers and supporters ran in the 2014 Bridge to Brisbane Fun Run, raising almost \$2,000. In November our first Trivia Night raised another \$2,000.

In December 2014 we launched a Christmas campaign, which raised more than \$40,000. In June 2015 we launched a special end-of-financial-year appeal, which raised another \$70,000 .

We would like to extend a huge thank you to all of our supporters. Thanks to you, we have achieved great things using the law to protect the environment in the public's interest.

Please keep giving so we can keep on working to protect the environment.

Communications

EDO Qld's media presence increased in the second half of the financial year owing to several factors. Namely, the commencement of high profile cases including the Land Court objection to Carmichael, Judicial Review of Alpha, and wins on three cases relating to the Great Barrier Reef. With the assistance of our part-time media officer we were able to gain media coverage for EDO Qld.

For example, during the first weeks of the Carmichael objection, EDO Qld, and our CEO

Jo-Anne Bragg, were featured in over 200 articles Australia-wide. Since then, we have aided several media opportunities including Lateline debates, interviews with the Project and 7.30 Report, and arranged op-eds with publications such as ABC Environment and The Canberra Times.

We have also assisted third parties, including media, clients and others, with background legal information.

Find our more about EDO Qld work at www.edoqld.org.au

Treasurers Report 2014-2015

In 2014-2015, EDO Qld became a 100% citizen funded organisation. For the first time in 23 years, we did not receive government funding. Our supporters have risen to the challenge, giving a record number of donations (1318 individual donations, totalling \$587,843) to enable EDO Qld to continue our vital work: empowering people to use the law to protect the environment in the public interest. Those donations were in many cases inspired by specific development and mining proposals that needed scrutiny or challenge.

The contributions included a generous contribution from the Thomas Foundation towards legal work to protect the Great Barrier Reef.

For financial stability of our organisation, so we can keep delivering outcomes for the community and the environment, we need funds from a variety of sources, including individual donations, government, Foundations, and events. Money specifically donated for organisational development has enabled EDO Qld to establish a fundraising plan, which includes regular mail appeals. We employ an excellent part-time fundraiser in Paul Perovic. One future fundraising focus will be on building income from regular donations. At the time of writing, we have nearly 70 monthly donors.

I encourage you, if you have not already done so, to become a monthly donor: you can sign up at www.givenow.com.au/edo. Donations are tax deductible.

EDO Qld staff and Management Committee are keenly aware of our responsibility to use these donations wisely and conservatively, and to keep overheads low. Audited annual reports are filed with the Register of Environmental Organisations, the Australian Charities and Non Profits Commission and The Office of Fair Trading in Queensland.

The new Queensland State government committed to refund EDO and we are expecting partial funds in December 2015. We greatly appreciate the recognition by the new State government of the important public interest role of our office, and that government funding is appropriate and needed. That funding will be a valuable and necessary part of the funding mix for our office.

On behalf of the management committee, I extend heartfelt thanks to all of our donors and supporters.

The audited financial reports are attached.

Anne-Maree Elliott

Treasurer

ENVIRONMENTAL DEFENDERS OFFICE (QLD) INC.

**FINANCIAL REPORT
FOR THE YEAR ENDED
30 JUNE 2015**

1.

ENVIRONMENTAL DEFENDERS OFFICE (QLD) INC.
INCOME AND EXPENDITURE STATEMENT
FOR THE YEAR ENDED 30 JUNE 2015

CLIMATE LITIGATION

	<u>2015</u>	<u>2014</u>
<u>INCOME</u>		
Donations Received	261,216	337,540
Contributions Received	250,000	244,925
Professional Fees	-	18,027
Client Reimbursements	383,853	26,946
	<hr/> 895,069	<hr/> 627,438
<u>EXPENDITURE</u>		
Audit Fee	650	1,733
Client Outlays	369,362	183,025
Computer Expenses	6,177	850
Conferences/Seminars	4,208	725
Electricity	3,202	2,028
Insurance	1,470	-
Library Expenses	1,695	210
Membership Fees	802	-
Practicing Certificate	3,017	3,241
Printing, Postage & Stationery	8,939	2,518
Rent & Rates	11,807	10,883
Repairs & Maintenance	1,230	793
Staff Amenities	542	-
Sundry Expenses	101	219
Superannuation	38,129	20,847
Telephone & Internet	7,483	5,372
Travel	2,371	23,816
Wages & Salaries	404,308	228,233
Workers Compensation	1,000	-
	<hr/> 866,493	<hr/> 484,493
<u>NET SURPLUS/(DEFICIT) FOR THE YEAR</u>	<hr/> \$28,576	<hr/> \$142,945

The accompanying notes form part of these financial statements.

ENVIRONMENTAL DEFENDERS OFFICE (QLD) INC.
INCOME AND EXPENDITURE STATEMENT
FOR THE YEAR ENDED 30 JUNE 2015

ASSOCIATION FUNDS

	<u>2015</u>	<u>2014</u>
<u>INCOME</u>		
Interest Received	14,969	13,877
Donations Received	326,627	468,976
Membership Fees	3,032	3,246
Professional Fees	20,930	47,500
Fundraising Income	3,600	-
Sundry Income	474	1,078
Contributions Received	7,740	52,500
Handbook-Income	4,300	10,376
Client Reimbursements	11,156	-
	<u>392,828</u>	<u>597,553</u>
<u>EXPENDITURE</u>		
Audit Fees	1,950	-
Bank Charges	1,824	1,250
Client Outlays	11,549	1,754
Computer Expenses	3,024	10,605
Conferences/Seminars	3,773	101
Consultant Fees	30,210	4,567
Depreciation	1,015	415
Electricity	374	-
Fundraising Expenses	1,056	-
Handbook Expenses	3,893	5,076
Insurance	1,470	1,797
Library	357	-
Membership Fees	12,167	2,000
Minor Equipment	4,849	5,361
Practising Certificate	1,471	2,473
Printing, Postage & Stationery	1,355	3,702
Promotional Expenses	16,789	10,177
Rent & Rates	23,612	4,056
Repairs & Maintenance	1,283	1,087
Staff Amenities	610	393
Staff Recruitment	370	-
Sundry Expenses	663	183
Superannuation	30,322	12,404
Telephone & Internet	2,766	2,326
Travel	3,412	1,389
Wages & Salaries	362,485	180,194
Workers Compensation	256	281
Workshop Expenses	-	3,817
	<u>522,905</u>	<u>255,408</u>
<u>NET SURPLUS/(DEFICIT) FOR THE YEAR</u>	<u>\$(130,077)</u>	<u>\$342,145</u>

The accompanying notes form part of these financial statements.

3.

ENVIRONMENTAL DEFENDERS OFFICE (QLD) INC.
INCOME AND EXPENDITURE STATEMENT
FOR THE YEAR ENDED 30 JUNE 2015

CLSP

	<u>2015</u>	<u>2014</u>
<u>INCOME</u>		
Legal Aid Queensland	-	283,573
Sundry Income	-	6,199
	<hr/>	<hr/>
	-	289,772
<u>EXPENDITURE</u>		
Audit Fees	-	867
Client Disbursements	-	108
Computer Expenses	-	1,575
Conferences/Seminars	-	1,407
Consultants	-	685
Depreciation	-	600
Electricity	-	1,370
Insurance	-	554
Membership Fees	-	3,601
Practising Certificate	-	748
Printing, Postage & Stationery	-	1,635
Promotional Expenses	-	616
Rent & Rates	-	19,537
Repairs & Maintenance	-	2,169
Staff Amenities	-	521
Sundry Expenses	-	470
Superannuation	-	20,109
Telephone & Internet	-	2,275
Travel	-	3,036
Wages & Salaries	-	224,013
Workers Compensation	-	340
Workshop Expenses	-	3,536
	<hr/>	<hr/>
	-	289,772
	<hr/>	<hr/>
<u>NET SURPLUS/(DEFICIT) FOR YEAR</u>	-	\$NIL

The accompanying notes form part of these financial statements.

ENVIRONMENTAL DEFENDERS OFFICE (OLD) INC.
ASSETS AND LIABILITIES STATEMENT
AS AT 30 JUNE 2015

	<u>NOTE</u>	<u>2015</u>	<u>2014</u>
<u>ASSETS</u>			
<u>CURRENT ASSETS</u>			
Cash on Hand		300	300
Cash at Bank	2	782,658	888,083
Debtors		169,273	159,768
<u>TOTAL CURRENT ASSETS</u>		<u>952,231</u>	<u>1,048,151</u>
<u>FIXED ASSETS</u>	3	<u>8,984</u>	<u>9,999</u>
<u>TOTAL ASSETS</u>		<u>\$961,215</u>	<u>\$1,058,150</u>
<u>LIABILITIES</u>			
<u>CURRENT LIABILITIES</u>			
Creditors & Accruals	4	32,550	43,787
Provisions	5	83,375	67,572
<u>TOTAL CURRENT LIABILITIES</u>		<u>115,925</u>	<u>111,359</u>
<u>TOTAL LIABILITIES</u>		<u>115,925</u>	<u>111,359</u>
<u>NET ASSETS</u>		<u>\$845,290</u>	<u>\$946,791</u>
<u>MEMBERS FUNDS</u>			
Balance at 1 July 2014		946,791	461,701
Net Surplus/(Deficit) for the year - CLSP		-	-
Net Surplus/(Deficit) for the year - Association Fund		(130,077)	342,145
Net Surplus/(Deficit) for the year - Climate Litigation		28,576	142,945
<u>TOTAL MEMBERS FUNDS</u>		<u>\$845,290</u>	<u>\$946,791</u>

The accompanying notes form part of these financial statements.

5.

ENVIRONMENTAL DEFENDERS OFFICE (QLD) INC.
CASH FLOW STATEMENT
FOR THE YEAR ENDED 30 JUNE 2015

	<u>2015</u>	<u>2014</u>
CASH FLOWS FROM OPERATING ACTIVITIES		
Receipts		
Legal Aid Queensland	-	283,544
Interest	14,969	13,877
Other Income	1,256,456	973,179
Payments		
Wages & Salaries - Other	(1,376,850)	(977,481)
Net cash provided by (used in) operating activities	<u>\$(105,425)</u>	<u>\$293,119</u>
CASH FLOWS FROM INVESTING ACTIVITIES		
Payment for purchase of plant & equipment	-	-
Net cash provided by (used in) investing activities	<u>\$NIL</u>	<u>\$NIL</u>
CASH FLOWS FROM FINANCIAL ACTIVITIES		
Net increase (decrease) in cash held	(105,425)	293,119
Cash at beginning of the reporting period	888,383	595,264
Cash at end of the reporting period	<u>\$782,958</u>	<u>\$888,383</u>
Reconciliation of Net Surplus/Deficit to Net Cash Provided by (Used in) Operating Activities		
Operating Result	\$(101,501)	\$485,090
- Depreciation	1,015	1,015
- Increase/(Decrease) in Payables	(11,237)	7,979
- Increase/(Decrease) in Unexpended Grants	-	(98,954)
- (Increase)/Decrease in Receivables	(9,505)	(145,210)
- Increase/(Decrease) in Provisions	15,803	43,199
Net cash provided by (used in) operating activities	<u>\$(105,425)</u>	<u>\$293,119</u>

The accompanying notes form part of these financial statements.

ENVIRONMENTAL DEFENDERS OFFICE (QLD) INC.
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2015

1. STATEMENT OF SIGNIFICANT ACCOUNTING POLICIES

This financial report is a special purpose financial report prepared in order to satisfy the financial reporting requirement of the Associations Incorporated Act (Qld). The committee has determined that the association is not a reporting entity.

The report is also prepared on an accruals basis and is based on historical costs and does not take into account changing money values or, except where specifically stated, current valuations of non-current assets.

The following significant accounting policies, which are consistent with the previous period unless otherwise stated, have been adopted in the preparation of this financial report.

(a) Fixed Assets - Depreciation

Depreciation is charged on all Fixed Assets on the Diminishing Value Method and is brought to account over the estimated economic lives of all Assets.
Lease Hold improvements are included at cost.

(b) Comparative Figures

Comparative figures, where necessary, have been reclassified in order to comply with the presentation adopted in the figures reported for the current financial year.

(c) Employee Entitlements

Liabilities for Wages & Salaries and Annual Leave are recognised and are measured as the amount unpaid at the reporting date at current pay rates in respect of employees' services up to that date. Other employee entitlements payable later than one year have been measured at the present value of the estimated future cash outflows to be made for those entitlements.

Contributions are made by the association to an employee superannuation fund and are charged as expenses when incurred.

(d) Income Tax

The Association is exempted from tax under section 50-10 of the Income Tax Assessment Act 1997.

7.

ENVIRONMENTAL DEFENDERS OFFICE (OLD) INC.
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2015

	<u>2015</u>	<u>2014</u>
2. CASH AT BANK		
Cheque Account	6,613	38,764
Grants Account	64	64
Tax Deductible Account	489,519	196,595
Term Deposit	10,293	10,010
Community Access Account	54,510	428,569
Visa Debit	2,137	1,710
Term Deposit	219,522	212,371
	<hr/> \$782,658	<hr/> \$888,083
3. FIXED ASSETS		
Leasehold Improvements	6,656	6,656
Computer Equipment	5,075	5,075
Less Accumulated Depreciation	2,747	1,732
	<hr/> 2,328	<hr/> 3,343
	<hr/> \$8,984	<hr/> \$9,999

8.

ENVIRONMENTAL DEFENDERS OFFICE (OLD) INC.
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2015

	<u>2015</u>	<u>2014</u>
4. CREDITORS & ACCRUALS		
Creditors	7,875	5,256
Superannuation Payable	-	6,124
PAYG Payable	11,704	9,920
GST	12,971	22,487
	<hr/> \$32,550 <hr/>	<hr/> \$43,787 <hr/>
5. PROVISIONS		
Provision for Annual Leave	55,928	42,902
Provision for Long Service Leave	27,447	24,670
	<hr/> \$83,375 <hr/>	<hr/> \$67,572 <hr/>
6. AUDITOR'S REMUNERATION		

Apart from the information disclosed, the auditor's received no other benefits.

ENVIRONMENTAL DEFENDERS OFFICE (QLD) INC.**STATEMENT BY MEMBERS OF THE COMMITTEE**

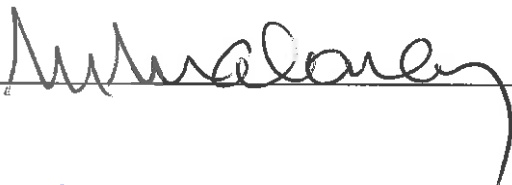
The committee has determined that the association is not a reporting entity and that this special purpose financial report should be prepared in accordance with the accounting policies outlined in Note 1 to the financial statements.

In the opinion of the committee the financial report as set out on pages 1 to 8:

1. Presents a true and fair view of the financial position of Environmental Defenders Office (QLD) Inc. as at 30 June 2015 and its performance for the year ended of that date.
2. At the date of this statement, there are reasonable grounds to believe that Environmental Defenders Office (QLD) Inc. will be able to pay its debts as and when they fall due.

This statement is made in accordance with a resolution of the Committee and is signed for and on behalf of the Committee by:

President



Treasurer



Dated this 21st October 2015

10.

INDEPENDENT AUDITOR'S REPORT TO THE MEMBERS OF
ENVIRONMENTAL DEFENDERS OFFICE (QLD) INC.

Report on the Financial Report

We have audited the accompanying financial report, being a special purpose financial report, of Environmental Defenders Office (QLD) Inc. which comprises the assets and liabilities statement as at 30 June 2015, and the income and expenditure statement, a summary of significant accounting policies, other explanatory notes and the statement by members of the committee.

Committee's Responsibility for the Financial Report

The committee of the association is responsible for the preparation and fair presentation of the financial report and has determined that the accounting policies described in Note 1 to the financial statements, which form part of the financial report, are consistent with the financial reporting requirements of the Associations Incorporation Act (Qld) and are appropriate to meet the needs of the members. The committee's responsibilities also include such internal control as the committee determines is necessary to enable the preparation and fair presentation of the financial report that is free from material misstatement, whether due to fraud or error; selecting and applying appropriate accounting policies; and making accounting estimates that are reasonable in the circumstances.

Auditor's Responsibility

Our responsibility is to express an opinion on the financial report based on our audit. No opinion is expressed as to whether the accounting policies used, as described in Note 1, are appropriate to meet the needs of the members. We conducted our audit in accordance with Australian Auditing Standards. These Auditing 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 judgment, 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 and fair presentation of the financial report 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, as well as evaluating the overall presentation of the financial report.

11.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion, the financial report of Environmental Defenders Office (QLD) Inc. presents fairly, in all material respects the financial position of Environmental Defenders Office (QLD) Inc. as of 30 June 2015 and of its financial performance for the year then ended in accordance with the accounting policies described in Note 1 to the financial statements, and the requirements of the associations incorporation ACT (QLD).

Basis of Accounting and Restriction on Distribution

Without modifying our opinion, we draw attention to Note 1 to the Financial Statements, which describe the basis of Accounting. The Financial Report has been prepared to assist Environmental Defenders Office (QLD) Inc. to meet the requirements of the Associations Incorporation Act (Qld). As a result, the Financial Report may not be suitable for another purpose.



HAYWARDS CHARTERED ACCOUNTANTS



PETER GESCH – PARTNER

21 OCTOBER 2015
BRISBANE