



EDO Qld.

Environmental Defenders Office

*Using the law to protect
our environment.*

Annual Report

2017-18

ABOUT EDO QLD

Our Mission

Empowering the community to use the law to protect the environment.

Our Goals

To protect clean air, soil and water for safe and healthy communities; to preserve and restore nature, the Great Barrier Reef and wildlife; to advance clean energy and to keep our climate safe.

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.

Environmental Defenders Office Queensland Ltd (EDO Qld) is a non-profit, non-government community legal centre. We are accredited by the National Association of Community Legal centres.



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Management Committee Members 2017-18



(from left) Paul Rees (Secretary); Rachel Eberhard, (Chair), Dan Morton, Anne-Maree Elliott (Treasurer), Vikki McLeod.

Staff Members 2017-18

Jo-Anne Bragg	Chief Executive Officer, Solicitor
Sean Ryan	Principal Solicitor
Andrew Kwan	Senior Solicitor
Revel Pointon	Solicitor, Law Reform
Juanita Williams	Solicitor
Alison Rose	Solicitor
Kate Grudzinskas	Solicitor (<i>from Nov 2017</i>)
Jane Dillon	Solicitor, Education & Law Reform (<i>from Apr 2018</i>)
Michael Berkman	Senior Solicitor (<i>to Dec 2017</i>)
Cara Mahoney	Solicitor, Education & Law Reform (<i>Casual Aug-Nov 2017</i>)
Bronwyn Bell	Operations Manager
Lauren Bicknell	Admin Assistant
Paul Perovic	Fundraising & Communications Officer (<i>to May 2018</i>)
Max Hutton	Fundraising Executive (<i>from June 2017</i>)
Christine Grodd	Data Entry - Casual
Jolee Wakefield	Media Adviser - Part-time
Saren Starbridge	Casual Events assistant (<i>to Aug 2017</i>)
Melissa McMahon	Admin & Events Assistant (<i>Nov 2017 - Apr 2018</i>)
Ernestine Kirsch	Casual Admin Assistant (<i>Oct-Nov 2017</i>)

CHAIR'S REPORT

EDO Queensland has had a year of consolidating efforts to build a strong and resilient organisation that continues to protect nature, maintain our natural resources and a safe climate. As an independent, public interest environmental legal centre, EDO Queensland provides legal advice and education, advocates for law reform and runs legal cases.

EDO Queensland has represented clients in six cases before the courts this year, including the ongoing New Acland Coal mine expansion case. New Acland has been the longest running environmental law case in Australia's history, and will be back in the Court of Appeal early in the New Year.

EDO Queensland continues to provide critical educational events and materials, with two major publications: the new Mining and CSG Law Guide, and the Community Litigants Handbook both undergoing revision. Law reform this year has focussed on a broad range of issues, which are outlined later in this report.

Communications, fundraising and administration provide essential support for the legal services that EDO Queensland provides. Important milestones this year have included the release of the fantastic new website (<https://www.edoqlld.org.au>).

EDO Queensland has successfully moved to a diversified funding base, drawing on the support of the State Government, private donors and philanthropic sources. We thank our donors, large and small, you enable EDO Queensland to continue to provide legal services for environmental outcomes. Special thanks to our major donors, who have stepped up to the challenge when needed. Fundraising is always a challenge. If you are able, regular monthly donations at a level you can afford are what helps us best.

EDO Queensland welcomed retired Supreme Court Judge Alan Wilson QC as our patron, and we thank Alan for the leadership and support he has shown in raising awareness and respect for the good work of EDO Queensland. With Anne-Maree Elliott, Vikki McLeod, Dan Morton and Paul Rees, the Management Committee has provided valuable guidance and oversight for the organisation. Unfortunately, Anne-Marie Elliott, EDO Queensland's treasurer, is stepping down at this AGM.. Special thanks to Anne-Marie for 5 years of contributions to EDO Queensland's Management Committee. The committee has co-opted two additional members who seek election this AGM: Pepe Clarke and Susanne Behrendt.

A feature of this year has been working with the seven other independent EDO organisations from across Australia to develop and consider a new national organisation. This builds on a long history of sharing skills and resources across the network. We believe that merging into a single national organisation would provide the best way to integrate our operations and improve our services in Queensland and across the whole country. A national organisation can better deal with national issues of environmental law, professionalising and streamlining our services and growing the network. We expect to come back to our members with further information and a proposal for consideration next year.

The year ahead will, no doubt, bring new challenges and opportunities our way. EDO Queensland is in a strong position to meet those challenges – drawing on the strengths of our hard-working CEO and staff, and the support of our members, donors and clients.

Dr Rachel Eberhard, Chair EDO Qld

HIGHLIGHTS 2017-18

Win leads to Appeals for farmers challenging New Acland Coal mine expansion

EDO Qld represents Oakey Coal Action Alliance, a community group of more than 60 farmers and residents, objecting to the New Acland Coal Mine Stage 3 expansion. After an historic win in the Land Court in May 2017, our clients went back in court for an Appeal against the decision by the miner. In May 2018, The Queensland Supreme Court ordered the matter be remitted back to the Land Court. OCAA and NAC have both appealed against the Supreme Court's decision, with the hearing due in February 2019.

Community Represented in 6 court proceedings

This year EDO Qld represented the community in 6 important public interest cases concerning climate, groundwater protection, intergenerational equity, protection of good quality agricultural land and more in 4 different Courts (Land Court, Supreme Court, Court of Appeal, and Federal Court).

758 Community members educated

Over the course of the year, EDO Qld lawyers hosted, co-hosted and spoke as an invited guest at 21 community legal education events, attended by 758 community members. Topics included planning, mine rehabilitation, mining objections, land clearing, clean energy and more.

23 Law Reform Submissions lodged

Key areas of law reform and policy work included renewables, political donations, vegetation protection and mine site rehabilitation, all undertaken in collaboration with different community partners. A total of 23 submissions were lodged this year.

Second Debate for Justice

Some of Queensland's wittiest speakers gathered together on 19 April 2018 at our comic fundraising activity: the Debate for Justice. Retired Judge Alan Wilson QC, the Hon Margaret McMurdo AC and Judge Sandy Horneman-Wren SC faced off against EDO Qld CEO Jo-Anne Bragg, National President of Aus Lawyers for Human Rights Benedict Coyne, and Qld Lead Organiser for GetUp! Ellen Roberts. The audience clapped, cheered and stomped their feet... and helped raise over \$20,000 for EDO Qld's work.

Swim for the Reef number 3

27 teams, 267 swimmers, 25 swimming pools and hundreds of supporters came together to raise awareness and funds to protect the Great Barrier Reef. In Swim for the Reef 2018, sponsored teams swam a total of 405 kilometres - the equivalent from about Lindeman to Hinchinbrook islands, and raised over \$70,000 for EDO Qld's work.

CEO's STATEMENT

Last year I described the historic win in the Land Court for our client, the Oakey Coal Action Alliance against New Acland Coal, as the most exciting achievement for our staff and supporters of that year. Since then, we have seen the Department of Environment and Science accept the Court's recommendation and refuse the mine, only to be followed by appeals not yet resolved at the time of writing.

Major commercial interests are persistent in pursuing their commercial interests through the Court system.

However the community members, represented by professional lawyers at EDO Qld are persistent too. We are driven by a strong recognition of the value of nature, a respect for the law, and a commitment to access to justice for clients who cannot otherwise afford to access the Courts.

This year, restoration of controls on vegetation clearing and a ban on developer donations show what can be achieved by persistence and collaboration between community and government.

As this Annual Report and its highlights show, your EDO Qld has been active and effective, not only representing clients in 4 different Courts, but in community legal advice, in advocating for stronger better laws and your rights, and in community educational events. Our Law Jam educational events, our Debate for Justice and our Swim For the Reef continue as established events on the legal and community calendars. Our Patron, the Honourable Alan Wilson QC actively fosters our connection with the broader legal profession. Our supporter levels continue to grow sharply.

The demand for our services grows too. So in the New Year, we seek restoration of Federal funding, cut completely in 2013, to complement our existing State funding and your generous and essential private donations.

I wish to extend my admiration and thanks to all the Staff, Management Committee, volunteers and supporters including our Patron who have enabled these achievements by their hard work and persistence. I wish in particular to single out our retiring Chair, Rachel Eberhard, for leading our Committee and for her active and thoughtful support and generous contribution of her time and expertise in discussions with Board members from other EDOs about planning for a national EDO. Our retiring Treasurer, Anne-Maree Elliot has provided invaluable support over 5 years contributing to our Committee. I also wish to acknowledge the skill and leadership of Principal Solicitor Sean Ryan, Operations Manager Bronwyn Bell, Law Reform Solicitor Revel Pointon, (Young Environmental Lawyers of the Year 2018), Fundraising and Digital Communications Manager Paul Perovic, and Media Adviser Jolee Wakefield, who all went above and beyond their duty.

This year I am delighted to again look forward to working with a highly experienced, persistent and motivated team and to growing our services to the community through a national EDO.

Jo-Anne Bragg, CEO/Solicitor

LEGAL ADVICE AND CASEWORK

Advice

In 2017/18 EDO Qld provided 157 advices and representations, 87 referrals and 106 instances of information to community groups and individuals. Much of this was provided through our evening Advice Line service, which is supervised by EDO Qld solicitors, with support from volunteer solicitors, law students and graduates.

The subject matter of these advices is varied, with common issues including marine protection, environmental planning, vegetation protection, natural resource management, public and private land management, access to information and pollution. Here are a few examples:

Mt Coot-tha Zipline

The Mt Coot-tha Zipline has been proposed to be a commercial use on Mt Coot-tha trust land. The Mt Coot-tha precinct is located on two Deeds of Grant in Trust (**DOGIT**) with the Brisbane City Council (**BCC**) as trustee and a number of private freehold parcels also held by the BCC. The DOGIT parcels have been identified as having cultural heritage significance on the Queensland heritage register and include large areas of mapped assessable vegetation and watercourses and contain ecological species of interest and habitat. EDO Qld has assisted the community in gauging a better understanding as to what DOGITs are and what they means for the project going forward.

Toondah Harbour

EDO Qld has provided assistance to the community to understand the legal framework of the proposed Toondah Harbour development which is projected to impact on protected Ramsar wetlands and numerous listed protected species including migratory birds, threatened turtles, dugongs and koalas.

Beach Driving in Queensland

While many people enjoy four wheel driving along beaches for pleasure, with this comes environmental and other issues around the use of vehicles on beaches. EDO Qld provided extensive advice regarding the legal status of driving on beaches in Queensland and interstate, providing the client with a deeper understanding of the rights and obligations under various laws in terms of who manages and enforces the law in specific areas where beach driving is permitted.

Court Cases

In 2017/18 we represented clients in six public interest proceedings before the courts, representing several community groups.

Before taking on a court case, we must be satisfied that the case has legitimate prospects of success and that the issue is in the public interest rather than merely being of benefit to a private person. Three of the cases are now described, with a full list at the end of this section.

Uncertainty for farmers challenging New Acland Coal mine expansion - 28 May 2018

EDO Qld represented Oakey Coal Action Alliance Inc (OCAA), a community group with more than 60 farmers and residents, in New Acland Coal's appeal of the Land Court's recommendation to refuse the proposed Stage 3 expansion of the New Acland Coal Mine.

On 28 May 2018, the Queensland Supreme Court partially agreed with the mine's arguments and ordered the matter be remitted to a different Member of the Land Court for a reconsideration of legal conclusions in respect of noise, and excluding all consideration of groundwater quantity impacts. However, both OCAA and NAC have also appealed against the Supreme Court's decision, with the hearing due in February 2019.

Lock the Gate denied reasons for Blair Athol mine transfer decisions - 22 February 2018

EDO Qld represented Lock the Gate Alliance in applying to the Supreme Court for statements of reasons for two decisions relating to the transfer of the Blair Athol Coal mine from a Rio Tinto joint venture to a minor mining company. The Court found that, despite being involved in numerous activities relating to the mine and rehabilitation law reform, LTG did not have the required interest in either decision that was beyond that of an ordinary member of the public. As such, LTG did not have 'standing' to request the reasons.

Australian Conservation Foundation Challenges Adani Carmichael Federal Approval - 25 August 2017

On behalf of Australian Conservation Foundation, EDO Qld lodged an appeal against the Federal Court's decision which found the approval of Adani's Carmichael coal mine to be lawful. The case was about whether the Minister, then the Federal Court, correctly applied the law when considering the impacts of the project on the Great Barrier Reef. The Full Federal Court dismissed the appeal.

List of Proceedings 2017/18

Client	Opponents, Project, Court	Status at 30 June 2018
Australian Conservation Foundation Inc.	Federal Minister for Environment, Adani, Carmichael Coal Mine, Federal Court Appeal	determined
Lock the Gate Alliance Ltd	Queensland Department of Environment, Blair Athol Coal Mine, Supreme Court	determined
Lock the Gate Alliance Ltd	Queensland Minister for Natural Resources and Mines, Blair Athol Coal Mine, Supreme Court	determined
Oakey Coal Action Alliance Inc.	New Acland Coal, Department of Environment and Heritage Protection, New Acland Stage 3 mine, Queensland Land Court rehearing	pending
Oakey Coal Action Alliance Inc.	New Acland Coal, Department of Environment and Heritage Protection, New Acland Stage 3 mine, Queensland Court of Appeal	pending
Coast and Country Association of Queensland Inc.	Hancock Coal, Kevin's Corner Coal mine, Supreme Court	determined

More detail on our cases is on our website http://www.edoqlld.org.au/past_court_cases

POLICY & LAW REFORM

In our policy and law reform work, we engage with Ministers and advisors, Federal, State and local government departments, environment groups and communities on laws and policies that affect the environment and communities.

We write submissions, publish reports, present at parliamentary inquiries, advocate to decision-makers, hold public events called LawJams to discuss reforms and provide advice for community members and groups.

In 2017/18, we made 23 submissions to State and Federal governments.

At the national level, we worked with colleagues from EDOs in other States to input to joint submissions.

At the State level, we made recommendations on issues such as the review of the mining and gas rehabilitation and financial assurance frameworks; Queensland climate change and renewable energy policies; Reef water quality regulation; waste transport; water resources protection; vegetation protection and clearing codes; Land Court guidelines; review of Environmental Protection (Chair of Responsibility) Act; special wildlife reserves, improving the planning system and integrity and accountability in the electoral system.

4 key examples of our Law Reform work

Advocating for clean energy and a safe climate

We have been working hard to ensure reform to Queensland climate mitigation and adaptation policies, so as to help keep Australia's international commitments to limit global warming to under 1.5 - 2°C above pre-industrial levels.

In November 2017 EDO Qld released our draft Climate Change and Renewable Energy Bill. The Bill enshrines emissions reductions and renewable energy targets, monitoring and other mechanisms. We contributed to and worked with Sun Powered Queensland (now RePower Queensland) to improve renewable energy policy. In 2017 we proposed that State legislation be introduced to prohibit approval of new and expanded fossil fuel extraction.

In 2018 Solicitor Revel Pointon and CEO Jo Bragg wrote and presented a paper *Climate change – it's getting hot in here Some current action in Queensland to address climate risk and what more could be done*.

Protecting Vegetation and Nature

In 2018 the Vegetation Management and Other Legislation Bill 2018 was passed by the Queensland Parliament, which significantly restored and improved protection of high value regrowth vegetation, remnant vegetation and riparian vegetation in Great Barrier Reef watercourses. We supported these reforms, worked with community and conservation groups and provided legal advice and suggested amendments. Ongoing work is needed to close a range of loopholes that still allow unsustainable clearing, for example the trigger for State assessments is still clearing of 5ha of vegetation, whereas it was previously 2ha of vegetation.

Mine site rehabilitation and financial assurances

The State government decided to reform the system of mine site rehabilitation and financial assurances relating to mining companies' compliance with rehabilitation obligations. We worked extensively with the community especially Lock the Gate, and with Queensland Treasury and Queensland Department of Environment and Science, making submissions and advocating for the public interest and environmental protection.

Integrity and Accountability

In late 2017 we published an extensive document outlining 7 key reforms needed to Queensland laws and sent it to all main political parties, publishing their responses so the public could compare policies. This document was the most comprehensive we have produced to date addressing all subject areas of environmental law, community rights and access to justice. Our analysis was accompanied by a community petition and public events such as 'Donations and Other Dangers to Democracy' on 21 November 2017 where we invited the candidates along to provide their position on political donations.

OUTREACH AND EDUCATION

Our education and outreach program helps to let people know how to use the law and get EDO Qld's help to do so.

758 Community members educated through events

Over the course of the year, EDO Qld lawyers hosted, co-hosted and spoke as an invited guest at 21 community legal education events, attended by 758 community members. Those events spanned across the State of Queensland, including the Gold Coast, Sunshine Coast, Brisbane, Toowoomba, and North Queensland (more details about that below!) Topics included planning, mine rehabilitation, mining objections, land clearing, clean energy and more.

Regional Tour North Qld

In October 2017 EDO Qld teamed up with EDO NQ and numerous regional conservation groups to provide community workshops from Mission Beach, Townsville, Airlie Beach and Mackay. The aim: to empower meaningful action on environmental matters that matter to our North Queensland coastal communities.

Each location had a great turn out of highly engaged, switched on, organised community members seeking to actively protect their environments from irresponsible or illegal environmental impacts.

Communities along the Reef coast were concerned about a range of issues from how to protect Cassowaries from dogs and road kills, port and marina developments threatening the precious and vulnerable marine environments of the Reef, the re-development of Lindeman Island resort and potential revocation of national park land, to addressing climate change, mining and gas impacts on groundwater and, of course, the Adani Carmichael mine.

You can see our briefing from these successful events on our website:

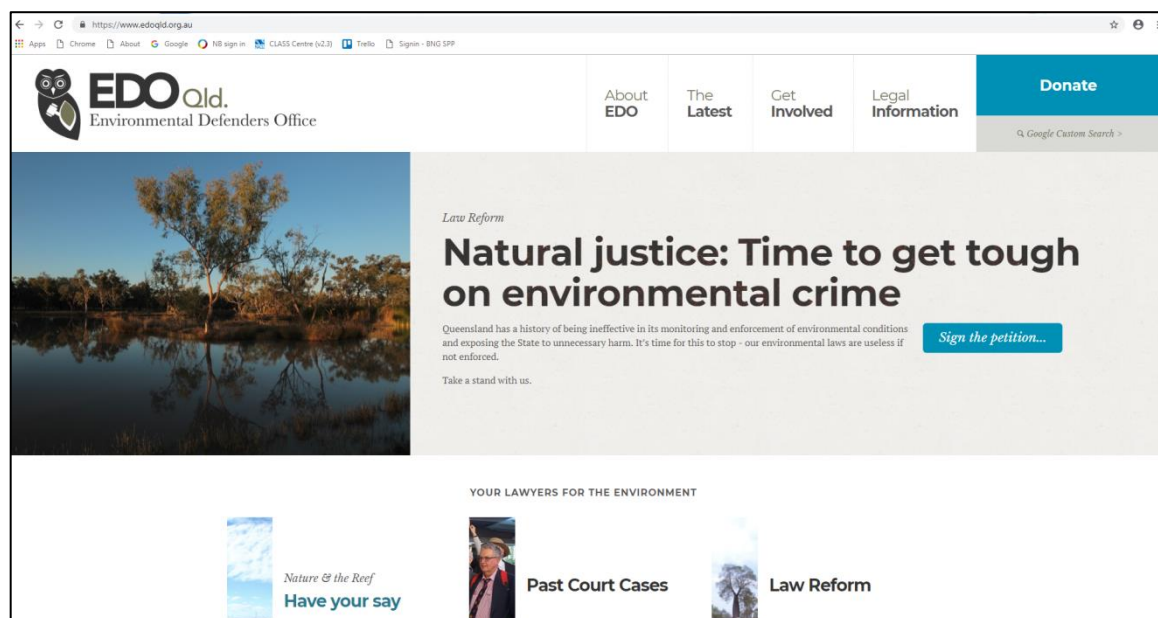
https://www.edoqld.org.au/nq_communities_empowered_in_access_to_justice

Digital Outreach

Subscriptions to our digital service grew strongly again this year. As at June 2018 our Law Alert Newsletter had 9,630 subscribers, our Facebook account had 10,044 followers and Twitter 1,881 followers.

We launched our new website in October 2017. Paul Perovic and Jolee Wakefield worked tirelessly to make the transition to the new website an absolute success. As well as looking spectacular, the new website hosts petitions, enables direct donation collection, publishes events, and has helped to improve targeted communication.

A huge effort has also gone into our online resources for the community, with 9 major Law alerts released across the year, and 10 new or updated factsheets published (with many more on the way).



Publications

EDO Qld has been working to update both of its legal handbooks, which have proven to be vital tools for the community over the years.

Anita O'Hart has been updating with the Community Litigants Handbook and our legal education solicitor, Jane Dillon, has been editing our Mining and Coal Seam Gas handbook. Both books are on track for publication in the 2018-2019 financial year.

EDOs of Australia

EDO Qld is one of eight independent Environmental Defenders Offices around Australia that currently operate together as a loose network called EDOs of Australia. The EDOs all have similar values and a similar mission. For many years now the offices have collaborated and shared skills and resources. The EDOs are exploring the further benefits of merging into a single national organisation. As one national organisation, we see wonderful opportunities to integrate our operations, and so to better provide better public interest services across Australia. In 2018/19 we expect to provide more information about this exciting opportunity and progress towards a merger.

EDO Qld Patron – The Hon Alan Wilson QC

In October 2017, retired Supreme Court Judge Alan Wilson QC accepted the Management Committee's invitation to become Patron of EDO Qld. In his role as patron, Mr Wilson will raise awareness of the positive work by EDO Qld to encourage those in the wider community to support our organisation. Here is an excerpt from his Patron's Statement:



My first encounters with the EDO occurred when I began to sit in the Planning and Environment Court many years ago. Those dealings led to me to respect and, over time, come to admire the way the Office strove to provide high calibre legal representation to the community in a range of environmental matters with what were, plainly, very stretched resources.

The 'environment' is, of course, the biggest thing we have - and, as is becoming increasingly obvious, what the UK poet Gillian Clarke called its 'delicate engineering' is deteriorating in myriad ways. It seems self-evident that the environment should be constantly near the forefront of our attention.

Increasing interest in and activity around the preservation and protection of our environment often ends up in litigation, and citizens and groups swept up in that litigation will need professional legal help. That is the very assistance the EDO uniquely and, to my perception, effectively provides. .

You may occasionally disagree with positions that some of the EDO's clients take on environmental or planning matters but there is, I think, one critical question – how important is it that our community has an organisation dedicated to focussing in on, considering and, if appropriate and necessary, arguing the contrary case on important environmental matters in the jurisdiction? For myself, I think it is vital; an adversarial system like ours languishes and is weakened if it does not provide for the contrary argument, the dissenting but reasonable and well-intentioned voice, to be robustly mustered and advanced.

The full text is available at:

https://www.edoqld.org.au/environmental_defenders_office_qld_patron_statement

PROFILE RAISING



Debate for Justice 2018

Some of Queensland's wittiest and most hilarious speakers gathered together 19 April 2018 at EDO's comic fundraising activity: the Debate for Justice.

Retired Judge Alan Wilson QC, the Hon Margaret McMurdo AC and Judge Sandy Horneman-Wren SC faced off against EDO Qld CEO Jo-Anne Bragg, National President of Aus Lawyers for Human Rights Benedict Coyne, and Qld Lead Organiser for GetUp! Ellen Roberts, ultimately convincing the audience that it is indeed **not** hotting up. The audience clapped, cheered and stomped their feet at the side splitting speakers.

EDO Qld thanks **Griffith University** for their generous support in securing the use of and waiving the fees for the beautiful Ian Hanger Recital Hall, where the debate was held. We would also like to thank event sponsor **p&e Law**.

Swim For The Reef – third time's a charm!



2018 Swim For The Reef did not fail to deliver with 27 teams, 267 swimmers, 25 swimming pools and hundreds of supporters coming together to raise awareness and funds to protect the Great Barrier Reef. This year teams swam a total of 405 kilometres - the equivalent from about Lindeman to Hinchinbrook islands. Thank you to everyone who participated, or sponsored a swimmer!

ACKNOWLEDGEMENTS

Sincere thanks to the following for their assistance to EDO Qld and our clients:

Pro Bono and Reduced Fee Assistance – Experts and Barristers 2017-2018

- John Savery
- Saul Holt
- Chris McGrath
- Rupert Watters
- Emrys Nekvapil
- James Dillon
- Cameron Murray
- Adrian Werner

Legal volunteers: solicitors, graduates, students

Tegan Baker
Catherine Browning
Jacinta Cafe
Chrystal Campbell
Ruth Cobbold
Samuel Colley-King
Pia Conradsen
Karen Cutler
Nicholas Davison
Grace Desoe
Jane Dillon
Andrew Dunn
Zachary Frazer
Ellen Hansen
Cassandra Heaslip
Charlie Hodgetts
Dylan Johnson
Lauren Kassulke
Paul King
Ernestine Kirsch

Jemma Lanyon
Evan Leong
Libby Masters
Ingrid McCabe
Callum McConnell
Alexander McKay
Dean Pickett
Pat Pollock
Mikaela Robertson
Peter Rowell
Thomas Serafin
Anna Simpson
Mark Simpson
Verity Smith
Carissa Tan
Nathanial Trappett
Chris Vale
Sara Wainwright
Bonny Wallace

Major Donors

A number of generous members of the Australian Environmental Grantmakers Network,
And the many others who prefer to remain anonymous

TREASURER'S REPORT

Effective fundraising remains vital to the operation of EDO Qld. In 2017-18, 50% of our income came from donations and fundraising events, including the successful Swim For the Reef. We appreciate the support of all our donors; there were 2707 separate donations in this financial year (many from regular donors) totalling over \$621k. This was \$200K less on the previous year, which attracted additional donor support for prominent court case work. Philanthropic Trusts are also major supporters, providing grants for project work especially in regard to Climate Change work.

This year, we farewelled the hardworking Paul Perovic, who had handled both fundraising and communications for EDO Qld, and welcomed a full time fundraiser, Max Hutton, who has particular focus on encouraging major donors.

We acknowledge the funding provided by the Queensland government: the Department of Justice and Attorney General, and the Department of Environment and Science both provide funding for EDO Qld to provide public interest environmental law services. The Department of Environment of Science has also contributed funding for EDO Qld to update our Mining and Coal Seam Gas Law handbook, which will be published later this year.

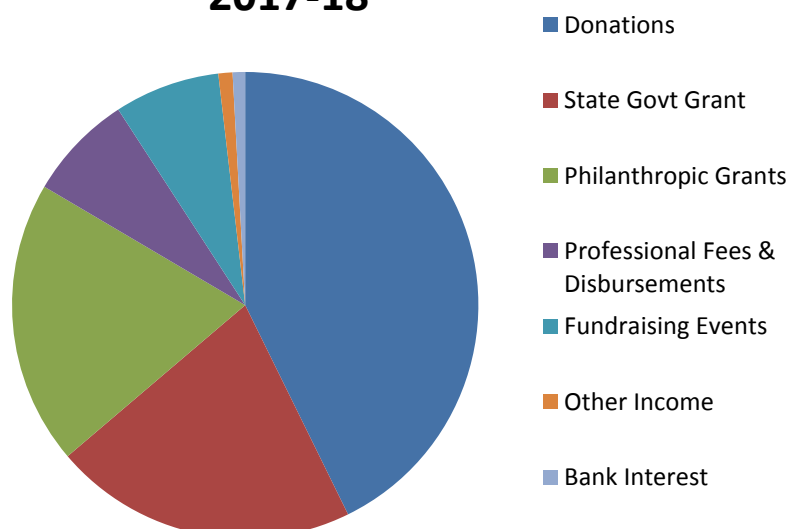
EDO Qld management committee and staff are committed to the prudent use of funds. Our accountability commitments include regular reporting to our State Government funders, and annual reports to the Register of Environmental Organisations, the Australian Charities and Non-Profits Commission, and the Office of Fair Trading in Queensland. EDO Qld holds all necessary insurances, including Public Liability and Professional Indemnity Insurance.

The audited financial reports follow.

This is my last report as Treasurer of EDO Qld, as I am stepping down after five years on the Management committee. I wish to offer heartfelt thanks to both Jo and Bron for all their hard work and support over my time on the committee; it's been truly delightful and inspiring. I wish all the hardworking staff of EDO Qld all the best in the exciting times to come

Anne-Maree Elliott, Treasurer

EDO Qld Major Funding Sources 2017-18



ENVIRONMENTAL DEFENDERS OFFICE (QLD) INC.

**FINANCIAL REPORT
FOR THE YEAR ENDED
30 JUNE 2018**

1.

ENVIRONMENTAL DEFENDERS OFFICE (OLD) INC.
STATEMENT OF PROFIT OR LOSS AND OTHER COMPREHENSIVE INCOME
FOR THE YEAR ENDED 30 JUNE 2018

	<u>Note</u>	<u>2018</u>	<u>2017</u>
Revenue	2	601,518	608,850
Other Income	2	646,448	861,110
Employee benefits expense		(953,698)	(926,586)
Depreciation and amortisation expense		(3,971)	(1,769)
Insurance		(2,323)	(2,131)
Travel Expenses		(9,082)	(6,590)
Property Expenses		(65,911)	(60,398)
Staff training and development expenses		(24,120)	(26,405)
Audit, legal and consultancy fees		(8,800)	(5,527)
Client support services expense		(68,819)	(190,170)
Other operating costs		(84,813)	(109,782)
Current year surplus before income tax		26,429	140,602
Income tax expense		-	-
Net current year surplus		26,429	140,602
Other comprehensive income		-	-
Total comprehensive income for the year		\$26,429	\$140,602
Total comprehensive income attributable to members of the entity		\$26,429	\$140,602

The accompanying notes form part of these financial statements.

2.

ENVIRONMENTAL DEFENDERS OFFICE (QLD) INC.
STATEMENT OF FINANCIAL POSITION
AS AT 30 JUNE 2018

	<u>Note</u>	<u>2018</u>	<u>2017</u>
ASSETS			
Current Assets			
Cash on Hand		500.00	500.00
Cash at Bank	3	1,204,572	1,192,741
Debtors & Prepayments		91,438	78,254
Deposit		8,833	8,833
Total Current Assets		1,305,344	1,280,328
Fixed Assets	4	22,767	8,324
TOTAL ASSETS		\$1,328,111	\$1,288,652
LIABILITIES			
Current Liabilities			
Creditors & Accruals	5	46,316	50,440
Employee Provisions	6	49,250	70,891
Unexpended Grant	7	36,400	-
Total Current Liabilities		131,966	121,331
Non-Current Liabilities			
Employee Provisions	6	73,205	70,810
Total Non-Current Liabilities		73,205	70,810
TOTAL LIABILITIES		205,171	192,141
NET ASSETS		\$1,122,940	\$1,096,511
MEMBERS FUNDS			
Retained Surplus		1,122,940	1,096,511
TOTAL MEMBERS FUNDS		\$1,122,940	\$1,096,511

The accompanying notes form part of these financial statements.

3.

ENVIRONMENTAL DEFENDERS OFFICE (QLD) INC.
STATEMENT OF CHANGES IN EQUITY
FOR THE YEAR ENDED 30 JUNE 2018

	<u>Retained Surplus</u>	<u>Revaluation Surplus</u>	<u>Financial Assets Reserve</u>	<u>Total</u>
Balance at 1 July 2016	\$955,909	\$NIL	\$NIL	\$955,909
Comprehensive Income				
Surplus for the year attributable to members of the entity	140,602	-	-	140,602
Total comprehensive income attributable to members of the entity	140,602	-	-	140,602
Balance at 30 June 2017	\$1,096,511	\$NIL	\$NIL	\$1,096,511
Balance at 1 July 2017	\$1,096,511	\$NIL	\$NIL	\$1,096,511
Comprehensive Income				
Surplus for the year attributable to members of the entity	26,429	-	-	26,429
Total comprehensive income attributable to members of the entity	26,429	-	-	26,429
Balance at 30 June 2018	\$1,122,940	\$NIL	\$NIL	\$1,122,940

The accompanying notes form part of these financial statements.

ENVIRONMENTAL DEFENDERS OFFICE (QLD) INC.
CASH FLOW STATEMENT
FOR THE YEAR ENDED 30 JUNE 2018

	<u>2018</u>	<u>2017</u>
CASH FLOWS FROM OPERATING ACTIVITIES		
Receipts		
Department of Justice and Attorney-General	233,952	100,000
Department of Environment and Heritage Protection	36,400	133,000
Interest	11,086	11,882
Other Income	989,744	1,264,848
Payments		
Wages & Salaries - Other	(1,240,936)	(1,336,705)
Net cash provided by (used in) operating activities	<u>\$30,246</u>	<u>\$173,025</u>
CASH FLOWS FROM INVESTING ACTIVITIES		
Payment for purchase of plant & equipment	(18,415)	(8,784)
Net cash provided by (used in) investing activities	<u>\$(18,415)</u>	<u>\$(8,784)</u>
CASH FLOWS FROM FINANCIAL ACTIVITIES		
Net increase (decrease) in cash held	11,831	164,241
Cash at beginning of the reporting period	1,193,241	1,029,000
Cash at end of the reporting period	<u>\$1,205,072</u>	<u>\$1,193,241</u>
Reconciliation of Net Surplus/Deficit to Net Cash Provided by (Used in) Operating Activities		
Operating Result	\$26,429	\$140,602
- Depreciation	3,971	1,769
- Loss on Sale of Fixed Assets	-	6,656
- Increase/(Decrease) in Payables	(4,124)	5,291
- (Increase)/Decrease in Receivables	(13,184)	39,770
- (Increase)/Decrease in Deposits	-	(8,833)
- Increase/(Decrease) in Provisions	(19,246)	(12,230)
- Increase/(Decrease) in Unexpended Grant	36,400	-
Net cash provided by (used in) operating activities	<u>\$30,246</u>	<u>\$173,025</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 2018

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) and Australian Charities and Not-for-Profits Commission Act 2012. 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.

ENVIRONMENTAL DEFENDERS OFFICE (QLD) INC.
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2018

	<u>2018</u>	<u>2017</u>
2. REVENUE AND OTHER INCOME		
Revenue		
Revenue from Government Grants		
Legal Aid Office (Queensland)	233,952	233,000
	<hr/> 233,952	<hr/> 233,000
Other Revenue		
Client Reimbursements	79,842	29,468
Contributions Received	261,988	326,000
Interest Received	11,086	11,882
Professional Fees	14,650	8,500
	<hr/> 601,518	<hr/> 608,850
TOTAL REVENUE		
Other Income		
Donations	621,876	827,551
Fundraising Income	21,205	29,042
Membership Fees	2,591	3,291
Sundry Income	776	1,226
	<hr/> 646,448	<hr/> 861,110
TOTAL OTHER INCOME		
TOTAL REVENUE AND OTHER INCOME	<hr/> \$1,247,966	<hr/> \$1,469,960
3. CASH AT BANK		
CBA Bank Guarantee	14,575	-
Cheque Account	21,170	10,775
Community Access Account	601,592	453,124
Grants Account	64	64
Tax Deductible Account	316,001	483,489
Term Deposit	10,524	10,451
Term Deposit	236,759	231,332
Visa Debit	3,888	3,506
	<hr/> \$1,204,572	<hr/> \$1,192,741
4. FIXED ASSETS		
Furniture and Equipment	32,272	13,858
Less Accumulated Depreciation	9,505	5,534
	<hr/> 22,767	<hr/> 8,324
	<hr/> \$22,767	<hr/> \$8,324

7.

ENVIRONMENTAL DEFENDERS OFFICE (QLD) INC.
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2018

	<u>2018</u>	<u>2017</u>
5. CREDITORS & ACCRUALS		
Creditors	17,417	13,864
GST	7,186	2,524
PAYG Payable	14,300	21,223
Superannuation Payable	7,413	12,829
	<hr/> \$46,316	<hr/> \$50,440
6. PROVISIONS		
Provision for Annual Leave	49,250	70,891
Provision for Long Service Leave	73,205	70,810
	<hr/> \$122,455	<hr/> \$141,701
7. UNEXPENDED GRANT		
Department of Environment & Science	36,400	-
	<hr/> \$36,400	<hr/> -

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

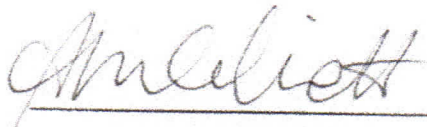
The committee has determined that the association is not a reporting entity and that this special purpose financial report should be prepared in accordance with the accounting policies outlined in Note 1 to the financial Statements.

1. In the opinion of the committee the financial report as set out on pages 1 to 8 are in accordance with the Australian Charities and Not-for-Profits Commission Act 2012 and:
 - (i) Comply with the Australian Accounting Standards applicable to the entity; and
 - (ii) Give a true and fair view of the association's financial position as at 30 June 2018 and its performance for the year ended on that date in accordance with the accounting policies described in Note 1 to the financial statements.
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 Declaration is signed in accordance with Subs 60.15(2) of the Australian Charities and Not-for-Profits Commission Regulation 2013.



President



Treasurer

27/11/2018

Date

9.

INDEPENDENT AUDITOR'S REPORT TO THE MEMBERS OF

ENVIRONMENTAL DEFENDERS OFFICE (QLD) INC.

Report on the Audit of the Financial Report

Opinion

We have audited the financial report of Environmental Defenders Office (Qld) Inc., which comprises the statement of financial position as at 30 June 2018, the statement of profit & loss and other comprehensive income, statement of cash flows for the year then ended, and notes to the financial statements, including a summary of significant accounting policies, and the certification by members of the committee on the annual statements giving a true and fair view of the financial position and performance of the association.

In our opinion, the accompanying financial report of Environmental Defenders Office (Qld) Inc. has been prepared in accordance with Division 60 of the Australian Charities and Not-for-Profits Commission Act 2012 and the Associations Incorporation Act (QLD).

- 1) Giving a true and fair view of the associations financial position as at 30 June 2018 and of its performance for the year then ended; and
- 2) Complying with Australian Accounting Standards to the extent described in Note 1 and Division 60 of the Australian Charities and Not-for-Profits Commission Regulation 2013.

Basis for Opinion

We conducted our audit in accordance with Australian Auditing Standards. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Report section of our report. We are independent of the association in accordance with the Auditor Independence Requirements of the ACNC Act and ethical requirements of the Accounting Professional and Ethical Standards Board's APES110: code of Ethics for Professional Accountants (the Code) that are relevant to our audit of the financial report in Australia. We have also fulfilled our other ethical responsibilities in accordance with the Code.

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

Emphasis of Matter – Basis of Accounting

We draw attention to Note 1 to the financial report, which describes the basis of accounting. The financial report has been prepared to assist the association to meet the requirements of the Australian Charities and Not-for-Profits Commission Act 2012 and the Associations Incorporation Act (QLD). As a result, the financial report may not be suitable for another purpose. Our opinion is not modified in respect of this matter.

Responsibilities of the Committee for the Financial Report

The committee is responsible for the preparation and fair presentation of the financial report in accordance with the financial reporting requirements of the Australian Charities and Not-for-Profits Commission Act 2012 and the Associations Incorporation Act (QLD), and for such internal control as the committee determines is necessary to enable the preparation and fair presentation of a financial report that is free from material misstatement, whether due to fraud or error.

In preparing the financial report, the committee is responsible for assessing the association's ability to continue as a going concern, disclosing, as applicable, matters relating to going concern and using the going concern basis of accounting unless the committee either intends to liquidate the association or to cease operations, or has no realistic alternative but to do so.

Auditor's Responsibilities for the Audit of the Financial Report

Our objectives are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this financial report.

As part of an audit in accordance with Australian Auditing Standards, we exercise professional judgement and maintain professional scepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial report, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit 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 association's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the committee.
- Conclude on the appropriateness of the committee's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the association's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial report or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the association to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial report, including the disclosures, and whether the financial report represents the underlying transactions and events in a manner that achieves fair presentation.

We communicate with the committee regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.



PETER GESCH
HAYWARDS CHARTERED ACCOUNTANTS
Level 1 / 488 Lutwyche Road
LUTWYCHE QLD 4030

Dated this 22nd day of November 2018

11.

ENVIRONMENTAL DEFENDERS OFFICE (QLD) INC.
SUPPLEMENTARY INCOME AND EXPENDITURE STATEMENT
FOR THE YEAR ENDED 30 JUNE 2018

CLSP

	<u>2018</u>	<u>2017</u>
<u>INCOME</u>		
Legal Aid (Queensland)	233,952	233,000
	<u>\$233,952</u>	<u>\$233,000</u>
<u>LESS EXPENDITURE</u>		
Salaries and Wages	209,690	218,187
Other Operating Expenditure	24,262	14,813
	<u>233,952</u>	<u>233,000</u>
<u>NET SURPLUS/(DEFICIT) FOR THE YEAR</u>	<u>\$NIL</u>	<u>\$NIL</u>