



2022

Impact Report



Environmental
Defenders Office



Thank you for supporting the Environmental Defenders Office

EDO is the largest environmental law practice in the Australia Pacific. Through your support, we use the power of the law to run groundbreaking cases and deliver legal solutions for people, nature and climate, driven by our vision of a world where nature thrives.

Acknowledgment of Country

The Environmental Defenders Office recognises the traditional owners and custodians of the land, seas and rivers of Australia. We pay our respects to Aboriginal and Torres Strait Islander elders past and present, and aspire to learn from traditional knowledge and customs so that, together, we can protect our environment and cultural heritage through law.

Contents

A message from our Chair	5
A message from our CEO	6
A message from our Patron	7
Defending nature	9
Protecting Lake Malbena	10
Stopping native forest land clearing at Ansons Bay	11
Legal first climate challenge to Water Sharing Plan	13
Protecting climate	15
World first corporate "greenwashing" case against Santos	16
Victory over Yancoal's proposed open-cut coal mine expansion	18
An end to KEPCO's Bylong Valley coal mine	19
Bushfire Survivors for Climate Action v NSW EPA	21
Access to environmental justice	23
Challenge to Northern Territory's largest ever groundwater licence	24
Legal Help Gateway	25
Walking alongside First Nations	27
UN scrutiny for Aboriginal Cultural Heritage Bill	28
Legal challenge to Santos' Barossa offshore gas drilling	29
Hearing evidence on Country	31
Putting science before the courts	33
Partnering in Pasifika	35
Save the Sepik	36
In progress	37
Acknowledgements	40
Financial Summary	47
Audited Financial Report Extracts	48

57,653

supporters

1,312

online legal
resources accessed

1,664+

people who benefitted
from community
legal education

11,587

hours of legal services
supporting overburdened
communities

3,663

online & broadcast
media mentions

3,258

legal services provided

134

days in court

191

legal reform activities

199.72M

tonnes per annum
emissions delayed

22.81M

tonnes per annum
emissions curbed



A message from our Chair

This year has been an enormously impactful one at EDO. We have needed it to be given the state of the natural environment. When we merged, we did so to be:

- 1. Financially and organisationally stronger:**
We merged with joint revenue of just on \$6M. We concluded the 22 FY at \$11.8M allowing us to achieve what you will read in this impact report and set ourselves up for the future. We started with 61 staff being 27 FT, 29 PT and 5 casuals. In 2022, we have a total of 100 employees being 61 FT, 36 PT and 3 casuals.
- 2. Smarter through better information sharing:**
We have implemented a huge number of new systems including a new customer management system, a new website with intake form to allow for better resource dissemination to those who need it most, new practice management software and automated e-payroll.
- 3. More impactful:** The impact we've achieved - with a growing and more diverse group of clients and partners - across the geographies and thematic areas you see in this report speak to the effectiveness of this change.

The merger process is now complete. We will always work to hold governments, corporates, and individuals to account under existing laws

and play our part in stopping climate change. We will also start the work of focusing on what is needed for the future, one where laws and legal systems protect the public interest and particularly support a more symbiotic and regenerative relationship with nature. We can only do this with your ongoing support.

I'd like to thank the directors of EDO for their depth of engagement throughout the year and their commitment to best practice governance. Thank you to David Morris, our CEO, for your leadership based on courage and conviction and also to our staff who have demonstrated such commitment and passion in the face of a pretty tough year. Finally, thank you to our supporters - be you a donor or a volunteer, a member or someone we have provided a service to. We can't do this critical work without you.

Dr Bronwyn Darlington, Chair



A message from our CEO

As the Australia Pacific region's largest environmental law centre, we're empowering communities and partners as part of the global fight for a future where nature thrives.

I am gazing across Wonnarua land and toward Awabakal and Worimi land and the ocean beyond as I write this. I'm reflecting on the changed and changing landscape. I'm reflecting on the brutal floods of the last 12 months which affected so many and all of the climate exacerbated disasters which have wrought havoc across this region.

Here in the sunshine, the debris sitting high in the trees provides just a subtle reminder of the omnipresent torrents which were here just weeks ago.

More and more the impression I have is that when you have the right *why* you can find a way, irrespective of what is thrown at you. We are for 'a world where nature thrives'. This is the light that guides us. Our vision is an expression of stubborn optimism - a deep seated belief that humans - and our laws - can change and bring about a state where nature - of which we are a part - can thrive.

The promise of EDO is founded in the proposition that legal work - be it litigation, law reform, communications or education - is among the most effective tools we have to realise a more prosperous future. Our effectiveness is highlighted in the snapshot of impact described in these pages. You will read of our clients, communities and partners and of the people and organisations that support us. The collaborations we've forged together have resulted in globally significant outcomes which inspire people who share our vision worldwide.

We can all share a sense of deep pride in the extraordinary contribution this organisation has made over the past 12 months, building on a decade's old legacy of environmental defence.

Our work with clients, partners and supporters has made headway and headlines, this report celebrates our impact and achievements. I hope the stories in this report provide a wellspring of hope and optimism for you as we look forward and

contemplate the challenges in front of us. Simply put, we're winning - but nowhere near fast enough. The challenges we face are enormous, the time pressure is great. I was struck recently reading a global report which found less than 2% of global philanthropy is directed to the climate crisis, while in Australia, only 0.5% of philanthropic funding reaches environmental charities. Those of you - our remarkable supporters - who are already doing so can count yourselves part of the vanguard in the fight we're in for a world where nature thrives.

Thank you for your foresight and vision, thank you for choosing to support EDO. You enable us to bring aboard more and more experts who are then able to dedicate their talent and energy to our shared vision.

Thank you for powering us in this journey, this fight.

David Morris, CEO



A message from our Patron

Since its advent in 2019 the new national EDO has, it may be said without exaggeration, undergone a baptism of fire: Covid, alarming manifestations of climate change, a plethora of critical environmental issues – and, latterly, worrying efforts by governments to still the voices of those who are rightly determined to make sure these things are heard about, and discussed.

Despite these challenges the new organisation has achieved tremendous outcomes. It has taken the strengths of its previous, small constituent members and successfully translated them into a powerful, nation-wide force for good – something that, in the context of the specialised nature of the work of those local and state groups and their primarily local interests, was always going to be an interesting exercise.

The Board, the Executive, and all of our lawyers and ancillary staff deserve high praise for managing the transition and, in the midst of it, achieving a steadily growing number of successes.

Speaking personally it is heartening, and heart-warming, to see legal skills being used to such creditable ends. I'm an old lawyer and in my lifetime lawyers, as a breed, haven't usually enjoyed a good press. That our dedicated people chose to do such difficult, often unrecognised and, even, thankless (but always vital and important) work in the national interest helps to reverse that perception. Their ability to use the law as a sword, not just a shield, in the interests of the planet's salvation grows apace and, now, benefits from the support of a larger organisation and the broader expertise it can use and share.

In terms of the issues the EDO finds itself competing, there is much to be alarmed about. But I hope our clients and supporters share my perception (based upon sound evidence!) that the Office is doing a remarkable job and, as this Report confirms, giving cause for a measure of comfort, and hope.

The Honourable Alan Wilson QC



Defending nature

EDO is at the forefront of the legal fight to protect Australia's extraordinary wildlife, native forests and freshwater systems.

From protecting World Heritage wilderness from private development to saving endangered native forest from land clearing, our work representing clients to defend nature against destruction saw some significant wins this year.

We are the experts when it comes to the law and how it applies to the environment. In the past year, our team designed and advocated for legal solutions to Australia's biodiversity extinction crisis and policies to promote sustainable water sharing.

On our big dry continent, water is precious. Our work to defend Australia's water from over-extraction and pollution increasingly intersects with our work on climate change, as global warming fuels the water crisis.



Photo: Loic Auderset

Protecting Lake Malbena

Where lutruwita / Lake Malbena, Walls of Jerusalem National Park, Tasmania

Clients Wilderness Society Ltd (Tasmania), Tasmanian National Parks Association, and community members

Opponent Wild Drake Pty Ltd

Court Supreme Court of Tasmania

Case Status Outcome in favour of our client

On behalf of our clients we mounted a legal challenge to protect Lake Malbena in Tasmania's Wilderness World Heritage Area from a controversial helicopter-accessed tourism project, arguing that the planning permit was in breach of the Tasmanian Wilderness World Heritage Area Management Plan.

Why we took the case

The unspoilt World Heritage Area is internationally recognised and has huge importance to the Tasmanian Aboriginal community, conservationists, bushwalkers and anglers.

Tourism company Wild Drake sought exclusive access to develop Halls Island on Lake Malbena—part of the Walls of Jerusalem National Park and an internationally recognised World Heritage wilderness – for private luxury accommodation and helipad facilities.

The impact of our work

In September 2021, the Full Court of the Tasmanian Supreme Court ordered that the Resource Management and Planning Appeal Tribunal reconsider its decision in December 2019 to issue a planning permit for the Wild Drake proposal, after it was originally refused by the local council.

After almost three years of legal battle, Wild Drake withdrew its appeal in December 2021, marking a significant win in the battle to keep Australia's nature protected and open to the public.

This case has important implications for properly regulating development in internationally significant protected places such as World Heritage Areas. It emphasises the importance of Tasmania maintaining third-party appeal rights for tourism and other developments in our World Heritage Areas, parks and reserves in upcoming reforms to both our planning system and national parks legislation.

Stopping native forest land clearing at Ansons Bay

Where lutruwita / Ansons Bay, Tasmania

Client Tasmanian Conservation Trust (TCT)

Court Supreme Court of Tasmania

Case Status Outcome in favour of our client

This case challenged the validity of a Forest Practices Plan (FPP) to clear and convert 1,804 hectares of native vegetation at Ansons Bay, including 491 hectares of critically endangered Eucalyptus ovata forest, to pasture.

EDO lawyers argued that the plan should never have been certified by the Forest Practices Authority (FPA). The Supreme Court decided in favour of our client and found that the plan was invalid.

Why we're doing this work

Destruction of native habitat is a leading driver of extinction. Cases like this are brought in the public interest to defend critical habitat and ensure decision makers follow the rules when deciding on issues of extreme importance such as the destruction of our natural environment.

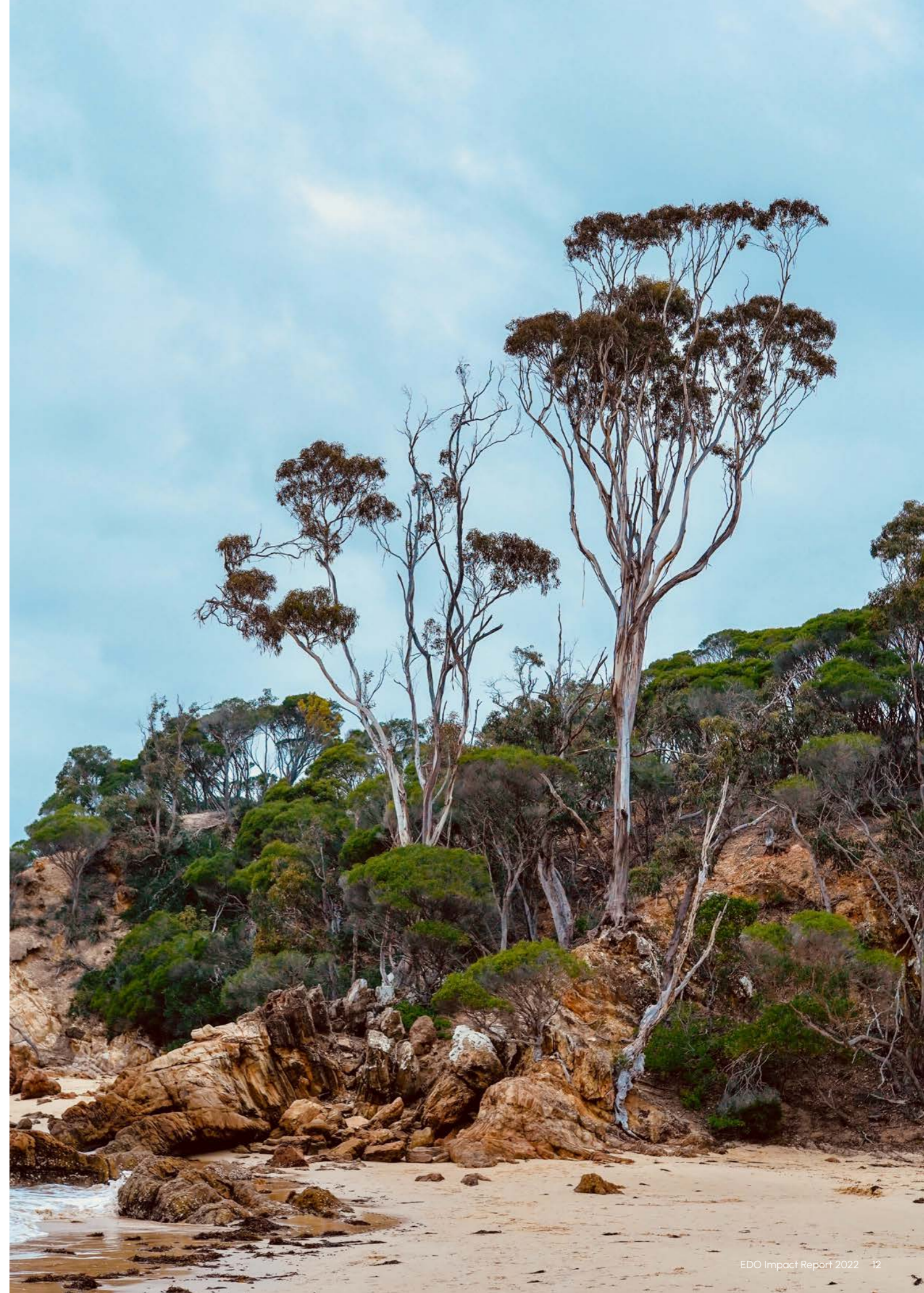
The impact of our work

This case was before the courts for seven years and, as a result, we stopped the largest area of private land clearing in Tasmania in over a decade.



“This is a fantastic outcome that has saved 1800 hectares of native forest including habitat for numerous threatened species including the Tasmanian devil, Tiger quoll and New Holland Mouse and 491 hectares of critically endangered Eucalyptus ovata forest.”

Peter McGlone, CEO Tasmanian Conservation Trust



Legal first climate challenge to Water Sharing Plan

Client Nature Conservation Council of NSW (NCC)

Opponent NSW Government

Court NSW Land and Environment Court

Case Status as of 30 June 2022 Hearing dates to be scheduled

Acting on behalf of the Nature Conservation Council of NSW (NCC), the Environmental Defenders Office launched a legal challenge to a Water Sharing Plan on climate change grounds, an Australian and world legal first.

NCC argue that the NSW Government failed to properly consider future climate change when creating the Border Rivers Water Sharing Plan (WSP), and therefore the plan is invalid. Our client alleges that under their own laws, NSW Government ministers are required to properly consider climate change and its impacts, including future climate change, when drawing up a water sharing plan.

Why we're doing this work

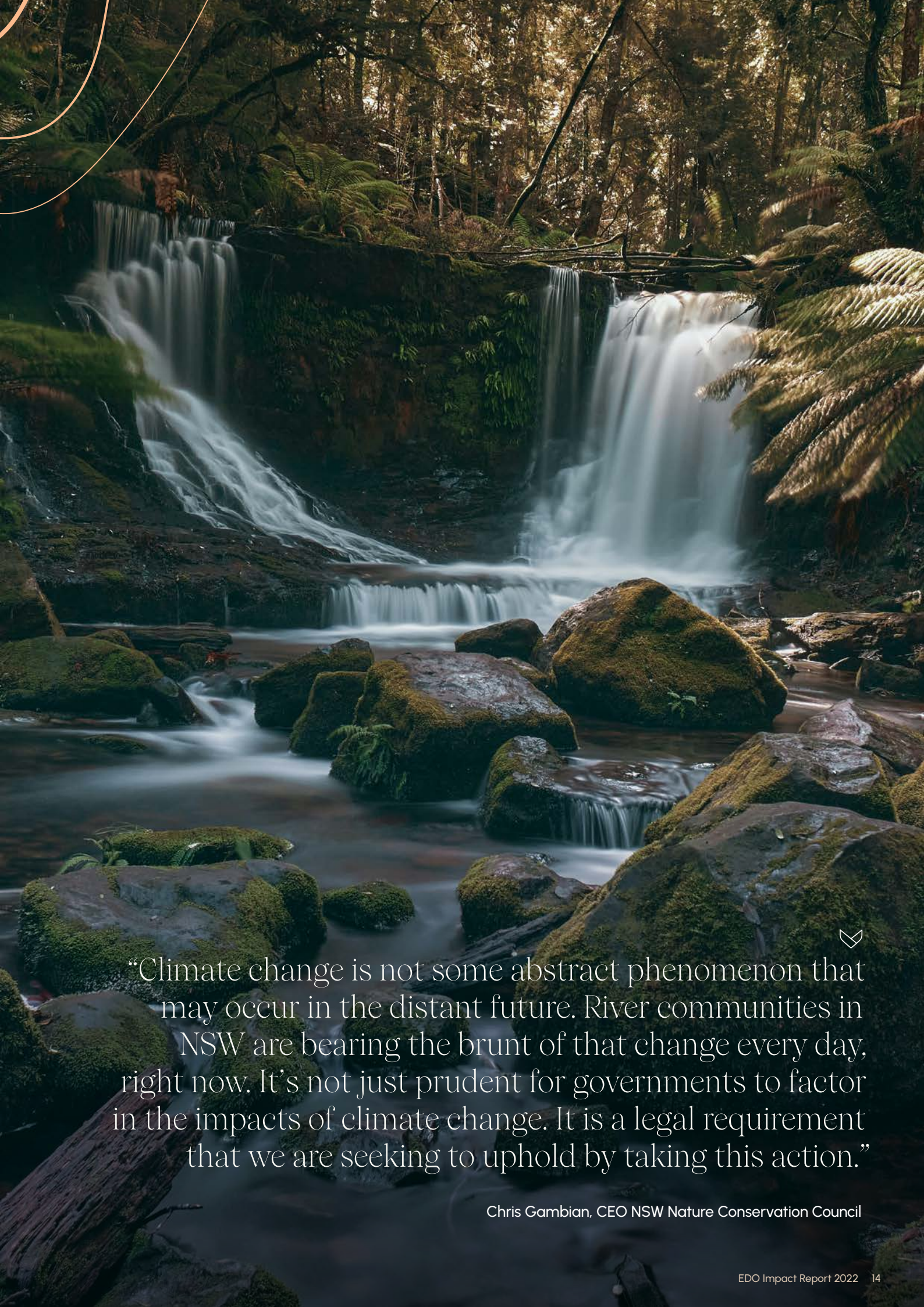
The fair sharing of water in our dry continent has always been a contentious and difficult area of law, even more so in the northern Murray-Darling Basin where there is ample evidence to indicate that the rivers and floodplains are over-extracted.

The Border River catchment sits along the NSW/ Queensland border and includes the Macintyre and Severn Rivers. The catchment is home to endangered species such as the eel-tailed catfish, Australian painted snipe and curlew sandpiper.

The impact of our work

The NSW Land and Environment Court ruled in our client's favour to allow expert evidence on climate change to be heard, to allow the Court to understand the complexity of climate science, hydrology and freshwater ecology.

If this case is successful, it will likely mean that future Water Sharing Plans will need to take climate change into account, particularly in relation to the setting of catchment-wide extraction limits and environmental flow rules.



“Climate change is not some abstract phenomenon that may occur in the distant future. River communities in NSW are bearing the brunt of that change every day, right now. It’s not just prudent for governments to factor in the impacts of climate change. It is a legal requirement that we are seeking to uphold by taking this action.”

Chris Gambian, CEO NSW Nature Conservation Council

Protecting climate

EDO is charting a path to climate justice and zero emissions, acting for a wide range of clients – from organisations to community groups and Traditional Owners – against climate-wrecking projects. It is one of our top priorities.

This year, EDO proudly represented clients on the frontlines of the climate crisis to challenge dangerous new coal and gas developments, to make government and industry accountable for climate pollution, to establish precedents that protect communities from climate-fuelled disasters, and to prompt law and policy change.

EDO recognises both the role of business in the energy transition and the growing threat of greenwashing to climate action. We continue to develop landmark legal strategies to tackle the climate crisis using corporate and commercial law working with clients toward greater transparency in the corporate sector on climate risks and action.



World first corporate “greenwashing” case against Santos

Client Australasian Centre for Corporate Responsibility (ACCR)

Opponent Santos Ltd

Court Federal Court of Australia

Case Status as of 30 June 2022 Hearing dates to be scheduled

In August 2021, EDO launched a landmark case against Santos over its claims natural gas is “clean fuel” and that it has a credible pathway to net zero emissions by 2040. Our client alleges that the claims, which appear in Santos’ 2020 Annual Report, constitute misleading or deceptive conduct. Our client will argue that Santos failed to disclose the full climate impacts of natural gas, as well as the company’s firm plans to increase its greenhouse gas emissions by developing new or existing oil and gas projects.

Why we’re doing this work

Gas companies such as Santos increasingly pin their hopes on carbon capture and storage and blue hydrogen to remain financially viable during the global energy transition. It is critical that companies are transparent about the greenhouse gas emissions associated with these processes, and their risks and uncertainties.

The impact of our work

This is the first court case in the world to challenge the veracity of a company’s net zero emissions target and the first in Australia to raise the issue of climate “greenwashing” against the oil and gas industry. It is also a world-first test case in relation to the viability of carbon capture and storage, and the environmental impacts of blue hydrogen.



Victory over Yancoal's proposed open-cut coal mine expansion

Where Wonnarua country / Camberwell, Hunter Valley NSW

Emissions Profile Approximately 5,760,000 tonnes per annum carbon emissions curbed

In April 2022 the Upper Hunter community won a 22-year battle against Yancoal's planned open-cut coal mine extension when the project's planning approval that had been granted in 2015 expired. EDO represented the Camberwell community in a number of court battles against the mine over more than a decade.

Crucial to the community's victory was award-winning environmental activist and farmer Wendy Bowman, who refused to sell her house to the company, and even updated her will to ensure her home could not be sold to Yancoal in the event of her death.

The multinational mining company was left with few avenues since the mine could proceed only on the condition that Wendy Bowman sold Yancoal her land.

EDO represented the Camberwell community in a number of court battles against the mine over more than a decade, including the pivotal 2015 Court of Appeal case.

Why we took the case

The Ashton South-East open-cut coal mine extension would have devastated local farmland, a culturally significant landscape, and impacted the precious water resources of the Hunter Valley.

The impact of our work

This victory has stopped the extraction of up to eight million tonnes of coal and protected the Hunter River from irreversible damage. This case illustrates the power of community, who worked side by side with EDO's lawyers to keep fossil fuels in the ground and defend Australia's landscapes from powerful industries that ruin the natural environment. It shows that regional and First Nations people can stand up against even the biggest mining companies with the deepest pockets and emerge victorious with their land, water and communities intact.



“I do see myself as an environmental warrior. If I am being honest then I have always felt like that. If you don't have water, then you can't have life. And that's what this is all about – life, not money.”

Wendy Bowman

Wendy Bowman's property sits on the banks of Glennies Creek, which flows directly into the Hunter River, right in the middle of the proposed mine extension. As much as eight million tonnes of coal lay under Wendy's land. Photo: Nick Cubbin for NSW Farmers

An end to KEPCO's Bylong Valley coal mine

Where Wiradjuri country / Bylong Valley NSW

Client Bylong Valley Protection Alliance (BVPA)

Opponent Korea Electric Power Corporation (KEPCO)

Court High Court of Australia

Emissions Profile Approximately 8,260,000 tonnes per annum carbon emissions curbed

The battle to protect the beautiful Bylong Valley from a greenfield coal mine was won in February 2022, after the High Court of Australia refused to hear an appeal by South Korean energy giant KEPCO. In 2019 the Independent Planning Commission (IPC) refused the mine on a number of grounds, including its contribution to climate change, after hearing expert evidence on the global carbon budget presented by EDO. The proposal has now been defeated four times, and KEPCO have no further legal avenues that can be pursued.

Why we took the case

The Bylong Valley coal project is a significant scale greenfield coal mine with a high emissions profile. In addition, the destruction of an ecologically significant environment and a scenic valley meant the progression of this project was not in the public interest.

The impact of our work

When KEPCO applied for judicial review of the decision in December 2019, the BVPA successfully applied to become a full party to the judicial review case. In doing so, EDO lawyers set a new precedent for public interest groups joining judicial review proceedings.

The IPC's decision to refuse this mine was based on the evidence and the science, including evidence about the 'problematical' greenhouse gas emissions. The decision was tested to its limits in every appeal and each time the IPC's decision was upheld in our client's favour.



“The Bylong Valley community only wanted some certainty, and we’re looking forward to that with this win. We want to plan our future on our farms, and we look forward to continuing to supply Australians with food, fibre, and fodder from an agricultural powerhouse with the best soils in the country”.

Phillip Kennedy, President Bylong Valley Protection Alliance



Bushfire Survivors for Climate Action v NSW EPA

Client Bushfire Survivors for Climate Action (BSCA)

Opponent NSW Environment and Protection Authority (EPA)

Court NSW Land and Environment Court

Case Status Outcome in favour of our clients

On behalf of our clients, the Bushfire Survivors for Climate Action (BSCA), EDO launched legal action against the environmental regulator, arguing that under its own laws the EPA is required to take strong action on climate by controlling the emission of greenhouse gases. We celebrated a landmark win in August 2021.

Why we took the case

Bushfire Survivors for Climate Action are a group of people who have experienced first-hand the devastation caused by major bushfires. BSCA sought to encourage and, if necessary, compel the NSW statutory authority to develop policies to measure and regulate greenhouse gases in the state.

BSCA argued that the EPA is not only explicitly empowered by its legislation to take strong action on climate by controlling the emission of greenhouse gases, but it is also required to do this under its own laws. Importantly, this ruling permitted evidence on whether the emissions trajectories for NSW, Australia, and the world, are in line with Paris Climate Agreement goals to limit global warming to 1.5°C, and to examine the link between climate change and bushfire risk.

The impact of our work

As part of the case, BSCA presented expert scientific evidence on the links between bushfires and climate change. It was the first time an Australian court allowed evidence on climate change to be heard in a case involving an alleged failure by a government agency to perform a statutory duty.

When the NSW Land and Environment Court ruled that the NSW EPA has a duty to take serious action on greenhouse gas emissions, it was the first time that an Australian Court has ordered a government to take meaningful action on climate change, signalling a major change in climate policy for the state.

EDO's Report *Empowering the EPA to prevent climate pollution* examines how the EPA can put in place mechanisms to reduce greenhouse gas emissions using its existing powers to control pollution and waste. Recommendations in the report include putting a price on carbon and setting a goal to reduce emissions consistent with efforts to limit global average temperature rise to 1.5°C above pre-industrial levels.



“This is a significant win for everyone who has been affected by bushfires. Bushfire survivors have been working for years to rebuild their homes, their lives and their communities. This ruling means they can do so with confidence that the EPA must now also work to reduce greenhouse gas emissions in the state. We are extremely grateful to the Environmental Defenders Office for their tireless efforts in pursuing the case.”

Jo Dodds, President Bushfire Survivors for Climate Action



“What a fantastic outcome in the case against NSW EPA! This is a really impressive and far-reaching outcome, and I just wanted to thank you and the entire EDO team for your efforts to secure a liveable future and viable planet for our kids and grandkids. It is such vital work and we are all so lucky that there are people like you to blaze this critical trail.”

Greg Mullins AO AFSM, former Commissioner Fire & Rescue NSW, and founder of Emergency Leaders for Climate Action

Access to environmental justice

EDO works with grassroots communities across Australia tackling environmental injustice. Our lawyers are on the ground with offices in eight locations across Australia – we hear and see the challenges first hand and are on the forefront of the most pressing environmental justice issues in the country.

Australia faces a triple planetary crisis, and one of those is environmental injustice. Time and again, people who

are least to blame are the most burdened – whether that be water theft or toxic pollution of rivers and air. Those on the frontline of environmental harms need all the support they can get – and that's where we come in.

EDO stands beside communities, working to equip people with the legal tools to take action, helping building the skills to speak truth to power and tackle injustice.

Challenge to Northern Territory's largest ever groundwater licence

Client Arid Lands Environment Centre (ALEC)

Opponent *First Respondent:* Minister for Environment, Northern Territory
Second Respondent: Fortune Agribusiness Funds Management Pty Ltd

Court Northern Territory Supreme Court

Case Status as of 30 June 2022 Listed for September 2022

EDO appeared for Arid Lands Environment Centre before the panel in a merits hearing of the NT Water Controller's decision on 3 September 2021. Following that decision, our clients challenged the Minister's decision filing an application for review in the NT Supreme Court on 16 February 2022.

These actions were together with the Mpwerempwer Aboriginal Corporation RNTBC, the registered native title body corporate representing the Traditional Owners where the water licence was granted. Represented by the Central Land Council, Mpwerempwer Aboriginal Corporation also challenged the Minister's decision to grant a water licence.

This was a legal challenge to the approval of the Northern Territory's largest ever groundwater licence. The 30-year licence allows Fortune Agribusiness to extract up to 40,000 megalitres of water per year at Singleton Station in Central Australia, to grow irrigated fruit and vegetable crops for export.

Why we took the case

Water security in a hotter climate is a critical challenge ahead. This is an acute issue in remote communities across the Northern Territory, with flow-on impacts to health, groundwater dependent ecosystems and cultural values.

The proposed groundwater extraction could see the groundwater table fall by up to 50 metres in some places over the licence's 30 year period, which exceeds the maximum 15 metre reduction limit in the Western Davenport Water Allocation Plan.

Our client, the Arid Lands Environment Centre, argued that the licence was not properly assessed in accordance with the requirements of the *Water Act 1992 (NT) (Water Act)* and the Water Allocation

Plan for the area, and in particular, that the impacts on groundwater dependent ecosystems were not properly assessed. The Central Land Council argued that the impacts on Aboriginal cultural values had not been assessed and Traditional Owners had not been properly consulted.

The impact of our work

The Northern Territory is at a crucial point for water law reform, having committed to new water legislation in 2026 focused on water security for all Territorians. For water justice in the Territory to be achieved, it is critical that Water Allocation Plans across the Territory are supported by the best available science, by community, and by transparent processes. If successful, this case has the potential to influence the way water extraction is assessed and the role of Water Allocation Plans in these assessment processes, with better outcomes for the environment and communities.

If successful, the water licence granted to Fortune Agribusiness will be set aside. The government may then re-assess Fortune Agribusiness' licence application in accordance with the law and having regard to the Court's decision. This would likely mean that the licence would have to be assessed against the Groundwater Dependent Ecosystem (GDE) criteria set out in the Western Davenport Water Allocation Plan rather than the criteria set out in the non-statutory policy document which was relied upon.

More broadly, a successful outcome would clarify that all water licence decisions in the NT must be made in accordance with the Water Allocation Plan for the relevant area. This would clarify the effect of certain provisions of the Water Act as well as impact future licence decisions.

Legal Help Gateway

In March 2022, we launched a new Legal Help Gateway on the EDO website. This was the culmination of a year of work for a cross-disciplinary team of EDO staff and external consultants.

In simple terms, the Legal Help Gateway is a collection of online tools designed to help our clients access legal information and advice more easily.

Our aim was to improve the visibility and accessibility of our legal resources, make it clear that we provide legal advice as well as representation, and generally improve the user experience for our clients who are seeking legal help.

The impact of our work

Between the date of launch on 18 March until 30 June 2022, our online legal resources were accessed 1,312 times, and we received 100 applications for legal advice through our intake form. The form filters and categorises requests so that we can make an early determination as to whether the matter is eligible for EDO assistance. For example, in the eight months prior to launching the Legal Help Gateway, 73% of inquiries related to private interest local planning concerns. After launching we have seen that drop to 26% of inquiries, allowing our National Intake team to focus on matters that are more aligned with our strategic priorities.

This project has involved significant changes behind the scenes to align our processes with the features of the Legal Help Gateway, meaning our National Intake team is able to be more responsive to our clients, identify emerging areas of legal need, and ensure resources can be made available to clients in a timely way. We have also been able to better manage lawyer workloads by building efficiencies into our intake process and freeing up lawyer time for the high-quality delivery of legal services to the community.

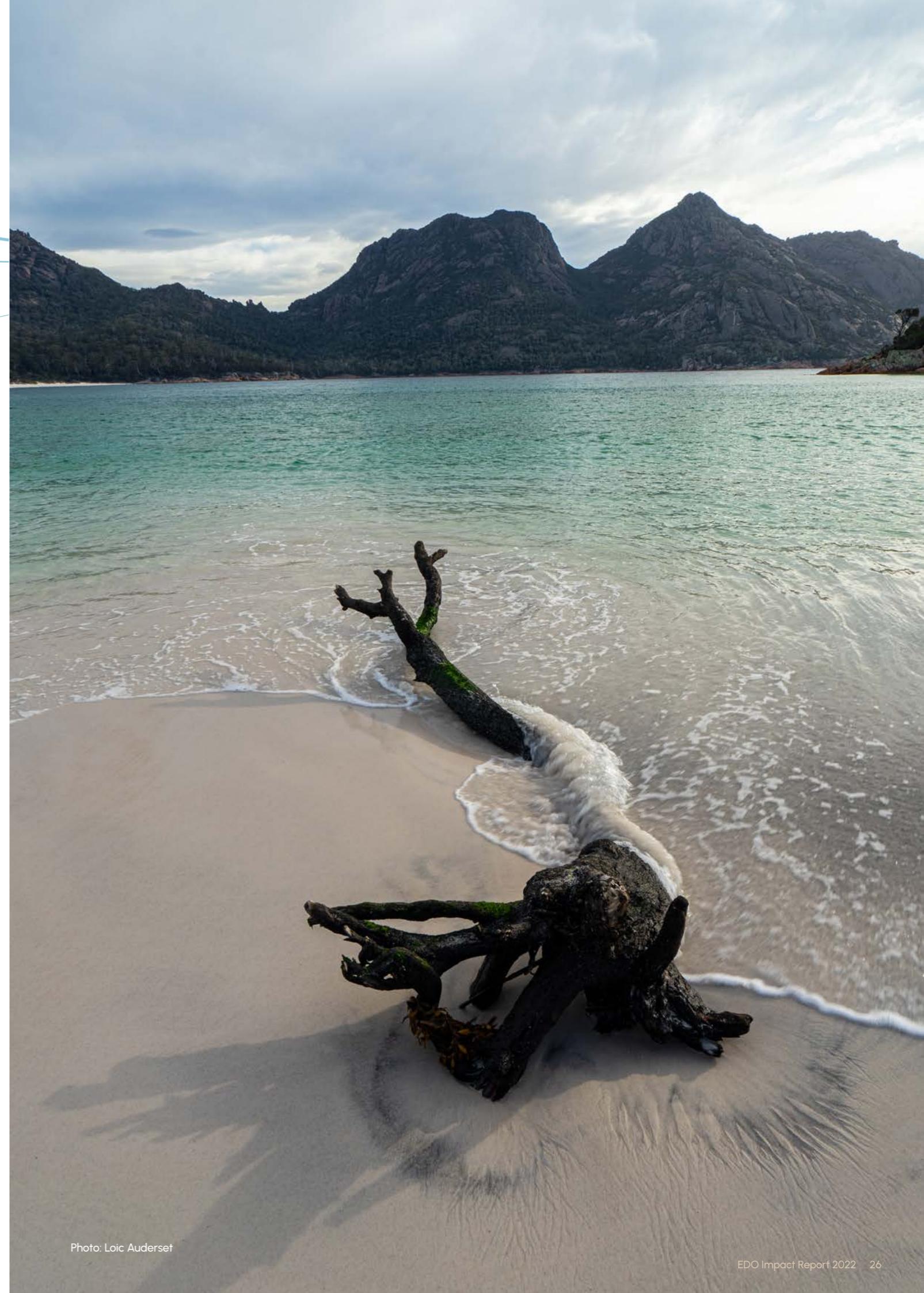


Photo: Loic Auderset

Walking alongside First Nations

EDO respects the uniquely deep and inseverable relationships First Nations Peoples hold with their Countries. EDO understands that it cannot truly work to defend the environment without partnering with the experts of knowing and protecting Country - First Nations Peoples, who have been and continue to defend and care for their Countries since millennia.

EDO partners with First Nations Peoples across Australia and the Torres Strait Islands in their fights to defend their Countries and cultural heritage that are at risk from climate change and destructive development, pushing for the principles of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) to be upheld within the Australian context.

EDO understands its privilege as an overarching non-Indigenous entity, with a self-determined First Nations Program within it - and works to provide a culturally safe place for First Nations Peoples to leverage EDO's privilege, if and how they wish, to further First Nations' fights for Country and cultural heritage. EDO is also working to recognise and identify ways to reduce the systems which disperse this privilege unevenly.

UN scrutiny for Aboriginal Cultural Heritage Bill

EDO assisted a group of First Nations people to make a formal request for a United Nations Committee to review Western Australia's draft proposed Cultural Heritage Bill, arguing the Bill is incompatible with Australia's international obligations on racial discrimination.

Five eminent Western Australian Traditional Owners, Slim Parker, Kado Muir, Dr Anne Poelina, Clayton Lewis and Dr Hannah McGlade, made a request to the United Nations Committee on the Elimination of Racial Discrimination to review the Western Australian draft *Aboriginal Cultural Heritage Bill 2020* under its early warning and urgent action procedure.

Why we're doing this work

The request to the Committee acknowledged that while reform to cultural heritage legislation is necessary, it submitted that the current Bill is incompatible with Australia's obligations under the Convention on the Elimination of All Forms of Racial Discrimination. The Bill does not adequately address the structural and historical issues and inequalities which have underwritten the past and contemporary destruction of cultural heritage in WA.

The impact of our work

Two key issues raised in the request is that Traditional Owners are unable to say 'no' to activities which will destroy significant cultural heritage and that there is insufficient protection of the right to culture. Without adding protections to the schema of the Bill, including a prohibition on destruction of significant cultural heritage or a weighing process in favour of protecting Aboriginal cultural heritage, the authors submit that little will change in practice. This risks a continuation of systemic and racial discrimination which has characterised the operation of the current legislation, which the Bill is supposed to address. The authors contend that this is incompatible with Australia's obligations under the Convention, which also applies to Western Australia.

Legal challenge to Santos' Barossa offshore gas drilling

Where Sea Country north of the Tiwi Islands

Client Dennis Tipakalippa

Opponent Santos Ltd

Court Federal Court of Australia

Case Status as of 30 June 2022 Listed for September 2022

Emissions profile Approximately 17,460,000 million tonnes per annum carbon emissions delayed

Tiwi Senior Lawman, Dennis Tipakalippa, launched a Federal Court challenge in June 2022 over the decision to allow Santos to drill eight wells in the Barossa gas field, just 150kms north of the Tiwi Islands. Mr Tipakalippa alleges that Santos failed to consult the Munupi Clan over drilling plans which pose risks to Tiwi Sea Country which holds spiritual significance to Tiwi people.

Why we're doing this work

Santos' Barossa project is one of the most polluting offshore gas projects in Australia. The drilling would disrupt the sea floor and a chemical spill would have a devastating effect on the thriving marine ecosystem. The Munupi community should have been properly consulted about this drilling project in sacred Sea Country that they have protected for millennia.

The impact of our work

This is the first case in Australia brought by First Nations people challenging an offshore project approval because of lack of consultation. This case is about making sure that people get a say over major developments that threaten their communities, livelihoods and way of life.

“Our lives are not just lived on the land, but in the sea – this home that we have loved for thousands of generations. We respect our homelands, our sea country and it looks after us. My clan, the Munupi, own these Northern Beaches. It's our land that's closest to the drilling site. We are the ones who are going to be affected. Santos should have respected us and consulted in the proper way. They think they can just go ahead with drilling our sea country without even talking to us. Enough is enough.”

Dennis Tipakalippa



Tiwi Senior Lawman, Dennis Tipakalippa.
Photo: Rebecca Parker, ECNT

Hearing evidence on Country

Where Gimuy/Cairns, Erub and Poruma/Torres Strait

Clients Youth Verdict Ltd and The Bimblebox Alliance

Opponent Waratah Coal Pty Ltd

Court Queensland Land Court

Case status as of 30 June 2022 Awaiting judgment

Emissions profile Approximately 87,040,000 tonnes per annum carbon emissions delayed

In April 2022, on-Country evidence by First Nations people was heard in the landmark challenge to Clive Palmer's Galilee Coal Project by Youth Verdict and the Bimblebox Alliance.

It was first time in history the Queensland Land Court heard First Nations evidence on-Country and in accordance with First Nations protocols.

The court travelled to Gimuy/Cairns and the Torres Strait Islands of Erub and Poruma. It heard evidence at the site where witness Athe Kapua Gutchen's ancestor's grave is being eroded by sea level rise and saw flying fox camps that have been affected by heat stress.

Why we're doing this work

By taking the court to where climate change impacts are not only evident, but are lived every day, means the court will not only hear the evidence of witnesses but will also see and feel it. It also means the First Nations witnesses will be able to give evidence in the presence of Elders and with the support of their communities.

The impact of our work

Youth Verdict's First Nations-led argument is the first time a coal mine has been challenged on human rights grounds in Australia. Under Queensland's Human Rights Act (2019), our clients are taking legal action to preserve Aboriginal and Torres Strait Islander peoples' cultural rights and protect their children's futures from the destructive impacts of climate change.

This is a case that puts the voices and experiences of those most impacted by climate change at the heart of the legal process. It is a model that could have major impacts on how climate-wrecking fossil fuel developments are challenged in Australia, and the world.

Case witness Jiritju Fourmile performs a smoking ceremony with President of the Land Court of Queensland Fleur Kingham in the Wiseman Road Reserve in Cairns, Tuesday, May 31, 2022. AAP Image/Brian Cassey



Putting science before the courts

EDO has a dedicated Science and Expert Advisory team who work across the priority areas of nature, oceans, freshwater and climate change. The integration of science and law results in court decisions achieved through the presentation of rigorous scientific evidence.

Professor Penny D Sackett is a physicist, astronomer and former Chief Scientist for Australia. She currently holds the title of Distinguished Honorary Professor at the ANU Institute for Climate, Energy and Disaster Solutions. Professor Sackett has a strong background in research, policy advice to national and local governments, and the synthesis and communication of climate science and its relationship to energy systems. As Chief Scientist for Australia (2008-2011), Professor Sackett provided independent advice to the Australian government on matters of science and innovation, and was a vocal champion of evidenced-based decision making. Much of her current work is devoted to providing expert reports to courts and consent authorities on the climate impacts of new or continued fossil fuel developments.

In August 2021 Professor Sackett gave evidence in the NSW Land and Environment Court for the Bushfire Survivors for Climate Action case against the NSW EPA. It was the first time an Australian court has ruled on whether evidence on climate change can be put forward in a case involving an alleged failure by an authority to perform a statutory duty.

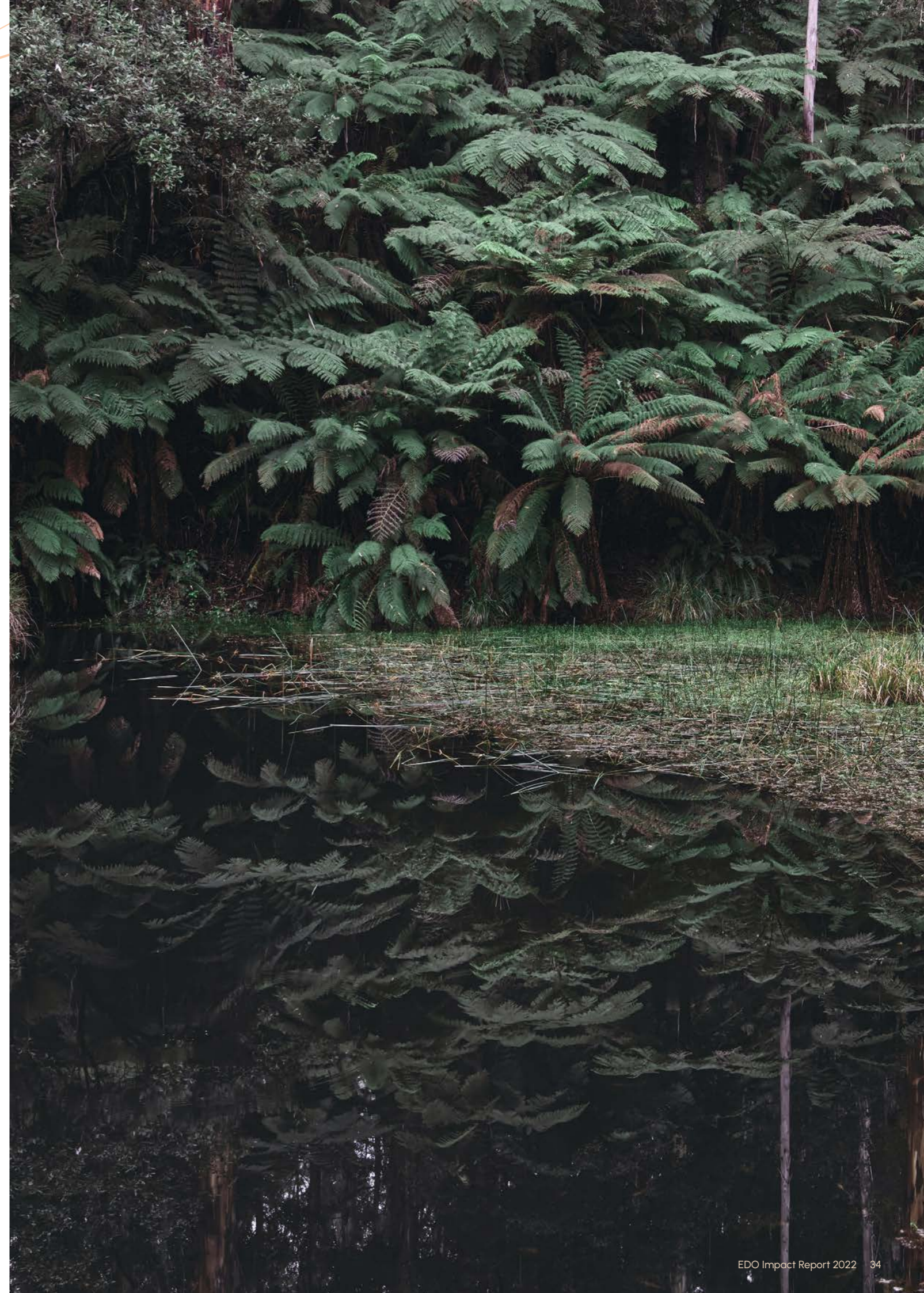
This case was a big first for science in the courtroom. We invited Professor Sackett to tell us about why she believes it's important to present scientific evidence in the court.

"Courtrooms are places that care about evidence and of course, that's the basis of science as well. I'm predominantly involved in cases that involve climate change, an area in which the courts are becoming an increasingly important decision maker. In the past my work has placed scientific evidence in front of decision makers of all sorts. Now I'm branching out to include the courts as a place where I'd like to make sure that scientific evidence is heard – scientific evidence that is current, appropriate for that audience and relevant to the matter before the court. To be quite honest I've found that there is often a complete lack of strong evidence regarding the connection between greenhouse gases and climate change in these matters. There's a kind of silence about that in some of the cases in which I've been involved, and so I've been pleased to be able to fill that void.

Reports from the International Panel on Climate Change (IPCC) have come to the fore and the public is more aware of them than in the past. IPCC reports depend on thousands of peer-reviewed research articles written by scientists around the world, which is why they're so informative and authoritative, but relying on those reports alone doesn't allow a full picture. Precisely because they are carefully prepared over many years, the evidence that is presented in an IPCC report will naturally be a little outdated and the further away one gets from the publication date of the last report, the more outdated it is. This is where it can be very important to have an expert witness who can fill that gap and say, 'This is what has happened, and this is what we have learned since the last IPCC report.'

Continuing to make sure that climate science is put before the court is vital and will become increasingly important. Something that is not well understood is the great speed with which the impacts of climate change are arriving, in many cases, even surprising climate scientists. The science of what causes global warming is well understood. But because we're in a completely new regime and all of the Earth's systems are connected, it is quite complex to model climate change impacts. Unfortunately, detrimental impacts are happening – almost exclusively – more quickly than previously expected. That's a critical point that needs to be understood by decision makers of all sorts, including the courts."

Professor Penny Sackett



Partnering in Pasifika

The Pasifika Program, led by Pasifika lawyers, leads EDO's work in the Pacific (Pasifika) region, including partnering with island-based organisations in Papua New Guinea, Vanuatu, Solomon Islands and Fiji to defend local communities against environmentally and culturally destructive development.

Pasifika peoples have developed a way of living over millennia that has been proven to work in harmony with nature. They have fought to protect their land, waters and seas, and have nurtured and cared for those places in a way that should ensure ecosystem health and wealth for many generations to come. Environmental and climate injustices are risking the loss of this inheritance for present and future generations in Pasifika. This puts at risk the very knowledge systems that offer an alternative to the extractive system which is causing the global ecological crisis.



Save the Sepik

Where Sepik River, Papua New Guinea

Partners PNG based Centre for Environment Law and Community Rights (CELCOR), Jubilee Australia, Project Sepik and communities along the Sepik River

Opponent PanAust Ltd

EDO provides legal support to the Save the Sepik campaign which is led by a Sepik based organisation and represents communities along the Sepik River who are fighting to protect their rich biodiverse river from a gold and copper mine and tailings dam.

Why we're doing this work

This second largest river in Pasifika has profound significance to Sepik peoples who rely on the River for their subsistence, cultural and spiritual life. The tailings dam is in a seismically active area and is at risk of breaking and causing mass loss of life and cultural and ecological devastation.

The impact of our work

Through the adoption of various legal strategies, the mine has not yet been approved (the EIS Environmental Impact Assessment and Statement process was in 2019). EDO provided legal support for a successful OECD (Organisation for Economic Co-operation and Development) complaint in 2021 against the company, claiming that it had failed to obtain the free, prior and informed consent of the Sepik River communities. We are also working with Sepik communities on a strategy to protect the River according to customary law, which is enforceable in PNG.

In progress

Injunction against Scarborough gas project to protect the Great Barrier Reef

Where Offshore Murujuga / Burrup Peninsula, WA

Client Australian Conservation Foundation (ACF)

Opponent Woodside Energy Group Ltd

Court Federal Court of Australia

Case Status as of 30 June 2022 Case filed on 21 June 2022

Emissions Profile Approximately 28.42m tonnes per annum (Mtpa)

EDO will argue that the Scarborough gas project should not be allowed to commence because it would contravene Australia's national environmental legislation, the EPBC Act, in particular provisions protecting the world heritage values of the Great Barrier Reef. Given the huge amount of Greenhouse gas emissions set to be unleashed by this project (878.02 million tonnes of carbon dioxide over its lifetime), Scarborough is likely to have a significant impact on the heritage values of our unique and fragile Great Barrier Reef, which is already under extreme stress due to climate change.

It is critical that the impacts of new fossil fuel projects on the Great Barrier Reef are properly assessed. This case will be the first time that the court has been asked to consider objective scientific evidence about the greenhouse gas impacts of an offshore gas project on our Great Barrier Reef.

North East NSW Regional Forest Agreements

Where Coastal area between Sydney and the QLD border

Client North East Forest Alliance (NEFA)

Opponent The Australian Government

Court Federal Court of Australia

Case Status as of 30 June 2022 Awaiting judgment

extensions that could continue indefinitely. In this first ever legal challenge to a NSW Regional Forest Agreement EDO is arguing that the Federal Court should declare that this RFA does not validly exempt native forest logging from federal biodiversity assessment and approval requirements under the EPBC Act.

Native forests provide critical habitat for vulnerable and endangered species such as koalas and greater gliders. The laws that regulate logging in these forests should be up-to-date and fit for purpose. In the summer of 2019-20, devastating bushfires ripped through native forests in the RFA region, including areas of the World Heritage-listed Gondwana Rainforests of Australia. EDO took on this case as we believe that when the North East RFA was renewed, the Commonwealth did not give regard to endangered species, the state of old growth forests or the impacts of climate change.

Tarkine's endangered Tassie devils

Where takayna / Tarkine, TAS

Client Tarkine National Coalition Inc (TNC)

Opponent Environmental Protection Authority (EPA) Tasmania

Court Supreme Court of Tasmania

Case Status as of 30 June 2022 Listed for September 2022

EDO will argue that the decision to allow iron ore to be trucked from an open cut mine along 112km of vital Tasmanian devil habitat at night was made unlawfully and should be rejected. The Riley Creek mine was recently given the green light by the EPA for the night-time transport of ore through the length of the Tarkine region – an area recommended for National Heritage listing and which provides key habitat and refuge for Tasmanian devils. Threatened with extinction, this decision puts further strain on an already endangered population. This case highlights problems with how our environmental laws are being applied to reduce protections for threatened species and without formal opportunities for public comment or merits appeal. The decision to allow night ore transport was made despite EDO, on behalf of TNC, providing a detailed submission to the director of the Environmental Protection Authority outlining serious concerns about the proposal.

Water mining at Springbrook National Park

Where Yugambah Country / Springbrook World Heritage Area, QLD

Client Australian Rainforest Conservation Society (ARCS)

Opponent Hoffmann Drilling Pty Ltd (Graeme Ashley Hoffmann and Chuda Kaewmongkhon ATF Hoffmann Drilling Pty Ltd Superannuation Fund)

Court Queensland Planning and Environment Court

Case Status as of 30 June 2022 Listed for hearing February 2023

Springbrook is a World Heritage listed National Park in South-East Queensland. It is part of the ancient Gondwana Rainforests of Australia, and a globally important rainforest ecosystem. EDO is representing our client to defend the Springbrook World Heritage Area from adjacent groundwater mining, which could see 16 million litres of water a year taken from the ecosystem, likely bottled and sold as spring water. We will argue that extracting water from the aquifer could have devastating impacts on the local ecology of the area, including to the critically endangered smooth scrub turpentine, the endangered ravine orchid and the near threatened Albert's lyrebird. The cascade treefrog, pouched frog and masked mountain frog are also threatened by this development; these species only inhabit South East QLD and Northern NSW.

Glendell coal mine extension

Where Wonnarua/Upper Hunter Valley, NSW

Client Wonnarua Traditional Owners Scott Franks and Robert Lester, representatives of the Plains Clan of the Wonnarua People

Opponent Glencore

Court NSW Independent Planning Commission

Case Status as of 30 June 2022 Awaiting determination

Emissions Profile Approximately 200 million tonnes

EDO is representing First Nations clients, who are heads of families of the Plains Clan of the Wonnarua People, before the NSW IPC, urging them to reject Glencore's Glendell coal mine extension on the basis the expansion project will destroy a significant cultural heritage landscape and contribute to global catastrophic climate change.

Priceless Wonnarua cultural heritage of the Ravensworth Estate — including its important associations with the Frontier Wars in the Hunter Valley — is under threat from this proposal. EDO took on this case as we believe that the coal expansion project would have unacceptable impacts on First Nations cultural heritage and that its approval would be contrary to the principles of ecologically sustainable development, particularly the principle of intergenerational equity, and the Burra Charter.

Butterfly Cave Aboriginal women's site

Where Lake Macquarie, NSW

The Butterfly Cave and surrounding landscape has immeasurable social and cultural value arising from the strong spiritual and emotional attachment of Awabakal Aboriginal women to the Butterfly Cave and its association with sacred women's business. Awabakal women have been coming to the Butterfly Cave for generations and it continues to be an important cultural site for sacred women's business and for the education of Aboriginal women and girls in culture.

EDO is representing a small community group, which includes Aboriginal women knowledge holders of the Butterfly Cave, who have been fighting for the protection of the Butterfly Cave for over a decade. Despite being the subject of statutory

protections at both the state and federal level the site is still at risk from an approved residential housing development, the Appletree Grove Estate development.

On behalf of the group, EDO has written to the Federal Environment Minister on a number of occasions raising our client's concerns that the construction of the development will likely injure or desecrate this sacred site. We requested that the Minister use her powers under the Federal Aboriginal and Torres Strait Islander Heritage Protection Act (ATSIHP Act) to stop Stage 7 and 9 of the Appletree Grove Estate housing development. The Butterfly Cave and immediate bushland is one of the few cultural sites in Australia that is subject to protection under a declaration made under section 10 of the ATSIHP Act. However, only the Federal Environment Minister has the statutory power to enforce this declaration.

If constructed, the development will destroy the important generations-old journey path to the Butterfly Cave. It will also remove vital privacy at the site, in contravention of the Minister's ATSIHP Act declaration.



Board Members

Dr Bronwyn Darlington, Chair

Dr Kate Galloway, Deputy Chair

Hon Michael Barker QC

Pepe Clarke

Dr Rachel Eberhard

Catherine Hathaway

Prof Jan McDonald

Joe Morrison (retired 25/11/21)

Sasha Purcell (retired 25/01/22)

Phil Vernon

Brent Wallace

Patron

The Honourable Alan Wilson QC

Staff

Office of the Executive

David Morris Chief Executive Officer
Jacqueline Lapensee Executive Assistant to the CEO & Board
Jo-Anne Bragg AO General Counsel

First Nations Program

Casey Kickett Director First Nations & Indigenous Peoples

Systemic Change

Elaine Johnson Director Legal Strategy

Pasifika Program

BeomJin (BJ) Kim International Program Manager*
Fleur Ramsay Special Counsel
Dr Bal Kama Senior Solicitor
Watna Mori Solicitor

Defending the Defenders

Julia Grix Managing Lawyer, Defending the Defenders
Rachael Barwick Solicitor*
Daniel Thompson Paralegal*

Nature - Biodiversity

Andrew Kwan Managing Lawyer, Nature
Cerin Loane Senior Solicitor
Emily Long Senior Solicitor
Kimberley Hutchinson Senior Solicitor
Meg Lamb Senior Solicitor
Lauren Bicknell Legal Administrator

Nature - Freshwater

Dr Emma Carmody Managing Lawyer, Freshwater Program*
Kate Chipperfield Senior Solicitor*
Huw Calford Solicitor
Nadja Zimmermann Solicitor
Kirsty Jordan Office Manager*
Khushboo Dhiman Legal Administrator

Legal Education

Jemilah Hallinan Head of Legal Education
Belinda Rayment Special Counsel
Elise Broadfoot Mills Solicitor
Anna Hamoy Solicitor*
Kate Vitnell Paralegal

Policy & Law Reform

Rachel Walmsley Head of Policy & Law Reform

Safe Climate - Corporate & Commercial

Kirsty Ruddock Managing Lawyer, Safe Climate - Corporate/Commercial
Zoe Bush Senior Solicitor
Anna Gudkov Senior Solicitor
Jasper Gotterson Paralegal
Sel Burek-Celejewski Legal Administrator

Safe Climate - Gas

Brendan Dobbie Managing Lawyer, Safe Climate - Gas
Clare Lakewood Special Counsel
Alina Leiken Special Counsel
Jordina Rust Senior Solicitor
Ruby Hamilton Solicitor
Jasper Lambe Solicitor*
Clare Saunders Solicitor
Sarah Shin Solicitor
Georgie Murch Legal Administrator*
Amanda Peng Legal Administrator

Safe Climate - Coal & Human Rights

Sean Ryan Managing Lawyer, Safe Climate - Coal & Human Rights
Briohny Coglein Special Counsel*
Matt Floro Special Counsel
Alison Rose Senior Solicitor
Briana Collins Solicitor
Jayme Cooper Solicitor
Anita O'Hart Solicitor
Anna Reynolds Solicitor
Thomas Robson Legal Administrator

Healthy Environment & Justice

Nicole Sommer Director, Healthy Environment & Justice
Heather McGiddy Executive & Program Assistant

National Intake

Jasper Brown National Intake Solicitor
Justine Emerson National Intake Paralegal

Australian Capital Territory

Melanie Montalban Managing Lawyer, ACT Practice
Frances Bradshaw Senior Solicitor
Natasha Lindh Legal Administrator

New South Wales

Rana Koroglou Managing Lawyer, NSW Practice
Natalie Vella Senior Solicitor
Rachael Chick Solicitor
Rebekah Ackerman Legal Administrator

Northern Territory

Elanor Fenge Managing Lawyer, NT Practice
Gillian Duggin Managing Lawyer, NT Practice*
Stacey Ella Managing Lawyer, NT Practice*
Natalie Czapski Solicitor
Ingrid Nadjarian Legal Administrator

Central & Southern Queensland

Revel Pointon Managing Lawyer, Central & Southern QLD Practice
Mollie O'Connor Solicitor
Karen Cutler Legal Administrator
Christine Grodd Administrator

North Queensland

Kirstiana Ward Managing Lawyer, North QLD Practice
Naim Santoso-Miller Solicitor
Marie Short Legal Administrator

South Australia

Melissa Ballantyne Managing Lawyer, SA Practice*
Gabrielle Bond Legal Administrator

Tasmania

Claire Bookless Managing Lawyer, TAS Practice
Joshua Paveley Solicitor
Linda Tucker Senior Solicitor*
Roslyn Harling Legal Administrator

Western Australia

Tim Macknay Managing Lawyer, WA Practice
Dr Lauren Butterly Special Counsel*
Anita Byrne Solicitor
Vale Sarah Flynne Solicitor*
Caleb O'Brien Solicitor*
Liam Carmody Legal Administrator
Danai Stevenson Legal Administrator*

Science & Expert Advisory

Dr Megan Kessler Director Science & Expert Advisory*
Dr Edward Butler Scientific Officer
Karen Winfield Scientific Officer
Dr Margaret Shanafield Scientific Officer

Finance & Operations

Blake Powell Director Finance & Operations
Bronwyn Bell National Operations Coordinator
Catheryn Cheetham National Operations Coordinator
Eamon Fraser-Crooks IT Manager
Nici McCann People & Culture Manager
Toni Simons Financial Controller
William Moore Senior Finance Administrator
Bao Ngo Finance Administrator
Maria Bautista Finance Administrator
Elizabeth Kristensen Administrative Officer*

Fundraising Marketing & Communications

Aaron Lamb Director Fundraising, Marketing & Communications
Anthony Gough Head of Marketing & Media*
Annemarie Kohn Head of Philanthropy
Amber Sprunt Head of Philanthropy*
Mhairi McClymont Senior Marketing & Media Specialist
Tom Trumble Data Engagement Specialist
Emma Franklin Senior Philanthropy Specialist
Ingrid Neilson Senior Philanthropy Specialist
Vanessa Bartholomew Marketing & Media Specialist
Jacki Boyce Digital Marketing Specialist
Victoria Brockfield Major Gifts & Bequests Specialist*
Zuzanna Buszewicz Supporter Experience Specialist*
Jessica Xavier Content Specialist

*Denotes former staff

During 2021/22 women represented 54% of the EDO Board, and 80% of the staff.

Staff achievements

General Counsel Jo-Anne Bragg AO was awarded a medal in the General Division of the Order of Australia for her services to environmental law.

Elaine Johnson, Director Legal Strategy, was included in the Australian's *The List: 100 Green Power Players 2022*.

Matt Floro, Special Counsel Safe Climate, was appointed National President of the National Environmental Law Association.

Counsel

Oliver Assersohn
Nicholas Baum
Richard Beasley SC
Cheyne Beetham
Melia Benn
Katharine Brown
Phillip Cadman
Natasha Case
Kay Chan
Dane Chandler
Shipra Chordia
Joshua Creamer
Hon Justice Lincoln Crowley
Lisa De Ferrari SC
Emma Dunlop
Nick Eastman
Jerome Entwisle
Talia Epstein
Daniel Farinha
Juliet Forsyth SC
Simon Frauenfelder
Stephen J Free SC
Neal Funnell
Stephen Gabriel
Varun Ghosh
Felicity Graham
Peter Gray QC
Charles Gregory
Alison Hammond
Natasha Hammond
Claire Harris QC
Sebastian Hartford-Davis
Tessa Herrmann
Perry Herzfeld SC
Ruth Higgins SC
Saul Holt QC
Philippa Honey
James Houston

David Hume
Noel Hutley SC
Hon Justice Henry Jackson SC
James Johnson
Oliver Jones
Bora Kaplan
Hon Justice Geoffrey Kennett
Hon Justice Jeremy Kirk
Louise Kruger
Renaë Kumar
Richard Lancaster SC
Clare Langford
John Lawrence SC
Jason Lazarus SC
Craig Lenehan SC
Brendan Lim
Kate Lindeman
David Lloyd SC
Verity Long-Droppert
James Mack
Kasey McAuliffe-Lake
Tony McAvoy SC
Rebecca McEwen
Dr Chris McGrath
Fiona McLeod SC
Ron Merkel QC
Sophie Molyneux
Rutendo Muchinguri
Edward Muston SC
Emrys Nekvapil
Nicholas Petrie
Ken Pettit SC
Sarah Pritchard SC
Matthew Pudovskis
Shawn Rajanayagam
Claire Roberts
Chris Ronalds AO SC
Angus Scott

Mark Seymour
Kunal Sharma
Matt Sherman
Lauren Sims
Dr Kristina Stern SC
Tom Stewart Coats
Avelina Tarrago
Jane Taylor
Rachael Taylor
Christopher Tran
Bret Walker SC
Jackson Wherrett
Robert White
Dr Michael White OAM
Denika Whitehouse
Rachael Young SC

Firms

Moray & Agnew
Allens
ClientEarth
Colin Biggers & Paisley
Dobson Mitchell Allport
Earthjustice
Gilbert & Tobin Hausfeld
Landers & Rogers
Leigh Day Solicitors
Marque Lawyers
Norton Rose Fulbright
Richman Law & Policy
Terri Janke & Company

Science & legal experts

Dr Hedda Askland
Dr Renata Bali
Prof Hilary Bambrick
Jim Binney
Karl Bossard
Tim Buckley
Andrew Buckwell
Rod Campbell
Prof Emeritus John Church
Anthony Coleman
Prof Matthew Currell
A/Prof Gabriel da Silva
Dr Alistair Davey
Claire deLacey
Dr Martin Denny
Prof Chris Dickman
David Donato
A/Prof Neale Draper
Peter Dupen
Hon A/Prof Karen Edyvane
Robert (Bob) Ellis
Dr Rod Fensham
Prof Chris Fleming
Adjunct Prof Warwick Giblin
Dr Bill Hare
Dr Patrick Harris
Dr Phil Hunt

Nicki Hutley
Chris Jewell
A/Prof Stuart Khan
Dr Robert Kooyman
David Leitch
Gary Leonard
Karl Mallon
Prof Martine Maron
Dr Tanya Mason
Dr Cherie McCullough
David Moir
Prof Bruce Mountain
Steven Pells
Dr Neil Perry
Dr Liam Phelan
Dr Stephen Phillips
Prof John Quiggin
Prof Penny Sackett
Dr Hugh Saddler
Ian Sinclair
Prof Emeritus Will Steffen
Dr Darren Tardio
Dr John Taylor
Dr Ryan Vogwill
A/Prof Grant Wardell-Johnson
Prof Betty Weiler
Rod Wiese
Doug Williams
Prof Glyn Wittwer
Dr Ian Wright
Dr Alison Ziller

Thank you

Geoff Byrne
Cathy About
Dr Ben Boer, University of Sydney
Stephanie Booker, ANU Environmental Law Clinic
Prof Malak Bouazza
Mark Buttrose
Hugh de Kretser, Human Rights Law Centre
Daney Faddoul, Human Rights Law Centre
Max Finlayson
Alex Gardner
Jimmy Gela, Poruma PBC
Lucy Graham
Prof David Karoly
Michelle Kearns
David Lawson
Craig Mackie
Hannah Marshall
Phillemon Mosby, Erub PBC
Steven Nowakowski
Dr James Prest, ANU Environmental Law Clinic
Emma Reilly
Kiji Vukikomoda
Ariane Weiss
Centre for Environment Law & Community Rights (CELCOR)
Clayton Utz
Fiji Environmental Law Society (FELA)
Flinders University
Government of Tuvalu
Grata Fund
Jubilee Australia
Martin Place Chambers
Nogat Coal
Project Sepik
Solomon Islands Environmental Law Association (SIELA)
The Piddington Society
Torres Strait Island Regional Council

Volunteers & Interns

Charley Adames	Andrew Dunn	Jamie Love	Liam Ryan
Ryan Alexander	Jedda Elliott	Oscar Luke	Clare Saunders
Lauren Ash	Carolyn Farago	Tracey Lynch	Indianna Saxon
Laura Ayles	David Ferrell	Liam Mackay	Ayumi Shimada
Donna Bagnall	Isabella Gerardi	Gabriella Maher	Tyra Shoulder
Jackson Balme	Jessica Gittel-Cornish	Ella Mather	Anna Simpson
Tegan Barrett-McGuin	Nathan Goslett	Ally McAlpine	Anna Skelly
Richard Beauchamp	Madeleine Grant	Stephen McClure	Hannah Skjellerup-Wakefield
Steve Bennett	George Grover	Guy McDonald	Kimberley Slapp
Sally Bennett	Amani Hanna	Henry McIntosh	Verity Smith
Sophia Bird	Vanessa Harkess	Stephanie Miller	Nina Spencer
Ayla Bower-Williams	Claudia Hodge	Lucy Milne	Charlotte Stump
Grace Bramwell	Kit Holmes	Juan Montoya Albarracin	Maya Suzuki
Rhiannon Brazier	Kirsty Humrich	Bridie Munro	Amy Tan
Bianca Brouwer	Amie Igoe-Josephs	Nicola Nearhos	Hugo Thompson
Emma Bryant	Tayla Jansen	Jessica Nimmo	Cindy Tran
Peta Bulling	Kate Johnston	Rebecca Noonan	Madeline Treschman
Emelia Caliskan	Jacinta Jones	Lily Pan	Sarah Vanderfield
Alexander Carey-Foster	Elkanah (Kai) Reyes	Kenneth Pennington	Kate Vitnell
Maria Alejandra Cau Cattan	Vishal Karamadakala	Sarah Poidevin	Louisa Voogt
Victoria Chen	Arshdeep Kaur	Wilson Poon	Megan Waddell
Emmaline Clark	Jadviga Kobryn-Coletti	Rosie Proctor	Hannah Wang
Jordan Clarke	Maggie Laing	Melisa Quinn	Tom Webb
Sarah Cocco	Arti Lal	Graeme Reid	Jarin White
Lizzie Cocks	Maya Lamont	Georgia Renard	Molly Williams
Sam Cowan	Tasha Lee	Sarah Ridgeway-Cross	Samantha Wilson
Taylah de Wit	Jenna Lennon	Annabel Rigby	Anthony Zhang
Anne-Sophie Deleflie	Wen Li	Andrew Rosemond	Victor Zhu
Maximilien Derode	Madeline Lilly-Howe	Renee Rothberg	Carmen Zhu
Elise Dorsa	James Lindsay	Peter Rowell	Chelsea Zwoerner

“Thanks for all you do. EDO are miracle workers. Your wins so often inspire me to give again to keep the miracles coming.”

Chilla Bulbeck, donor

Donors \$5,000+

Airteam Australia	Chris & Gina Grubb	Kirsty O'Connell
Dean Apostolou	Andrew Hall	Vicki Olsson
Award Force	Mark Harris	Damon O'Sullivan
Hon Michael Barker QC	Phillip Hart	Robert & Nancy Pallin
Mark Bravington	Murray Haseler	Jamie Pittock
John Brinnand	Ian Heriot	Annette Reynolds
Cynthia Brook	Colin & Barbara Hindmarsh	Rosalie Schultz
Tim Buckley	Elisabeth Hodson	Jenny Scott
Prof Chilla Bulbeck	Peter Hudson OAM	Belinda Seaton
Jane Cajdler	Ray Ison	Brian Snape AM
Dr Daryl & Claire Catt	David Odwyn Jones	Oliver Steele
Therese Cochrane	Dr Megan Kearney	Tony Strachan
Amanda Cohn	Edwina Kearney	David & Elizabeth Teather
Amanda Lopez & Peter Crick	Roderick Kidd	Dr Chris Tennant
Joan Staples & Barry Crisp	Harley Lacy	Teros
Elisabeth & Phillip Crossman	Carolyn Larcombe	David Thomas
Joanna de Burgh	Caroline Le Couteur	Undermined Inc
eSuite Talent	Bryan Havenhand & Anna Kaemmerling	Angela Whitbread
Dr Clare Fuller	Jos Luck	Dr Michael & Margaret Williams
Andrew & Christine Galbraith	Mary Maher	Josette Wunder
Dr Esther Gallant	Louise Maple-Brown	
Julie Gilfillan	Carl Martens	
Kathleen Girdwood	Alexandra Mateer	
Dr Cecily Greaves	Mullaley Gas and Pipeline Accord	

We are enormously grateful to the 5,246 donors who gave other amounts, and to those who choose to remain anonymous

Trusts & Foundations

ACME Foundation	Goodman Foundation	Purves Environmental Fund
Andrew, Rebecca, Molly & James Gift, a giving fund of the APS Foundation	Graeme Wood Foundation	Rainforest Foundation of Norway
Australian Communities Foundation	Green Family Foundation	Rawson Care Foundation
Bluesand Foundation	Greenpeace	Ryan Cooper Family Foundation
Bob Brown Foundation	Groundswell Giving	Sisyphus Foundation
Chey Family Trust	Henry Family Trust	SM Robinson PAF
Community Impact Foundation	Highfield Foundation	The Angles Family Foundation
Coniston Charitable Trust	Kieth & Jeannette Ince Fund	The Garry White Foundation
David Norman Family Trust	Maple Foundation	The Ian Watson Foundation
Diversicon Environmental Foundation	McKinnon Family Foundation	The Kimberley Foundation
Earthjustice	Minden Trust	The Myer Foundation
EM Horton Family Fund	Morris Family Foundation	The Orgill Family Foundation
Ereshkigal Foundation	Naylor Stewart Foundation	Ubuntu Foundation
Ethinvest Foundation	Nia Tero Foundation	
Fidra	Pixel Seed Fund	
George Lewin Foundation	Planet Wheeler Foundation	
	Purryburry Trust	

We wholeheartedly thank the 8 anonymous funders who also gave their support

Bequests

The Late Dr David Eugene Pfanner
The Late Dave Walsh
In memory of John Halden 'Hal' Wootten AC QC

Funding

Australian Government Department of Foreign Affairs and Trade
ACT Government through the Justice and Community Safety Directorate
State of Western Australia represented by the Department of Justice
NSW Government and the Public Purpose Fund through the Community Legal Centres Program administered by Legal Aid NSW
State of Queensland through the Department of Justice and Attorney-General, and the Department of Environment and Science
Northern Territory Government through the Department of Environment and Natural Resources
Australian Capital Territory Law Society
Northern Territory Legal Practitioners Fidelity Fund

“I am absolutely thrilled for the team at EDO and particularly for your clients. We are all winners here by keeping nature in its place and coal in the ground, due to your savvy determination.”

Jo Norman, donor



Australian Charities and Not-for-Profits Commission

The Environmental Defenders Office Ltd (ABN 72 002 880 864) holds Deductible Gift Recipient (DGR) status and is a registered charity under the Australian Charities and Not-for-profits Commission Act 2012 (Cth).

The Environmental Defence Fund is a public fund listed on the Register of Environmental Organisations under item 6.1.1 of subsection 30-55(1) of the Income Tax Assessment Act 1997.

Community Legal Centres Australia

The Environmental Defenders Office is a Community Legal Centres Australia member.

National Accreditation Scheme

The National Accreditation Scheme (NAS) is an industry based certification process for community legal centres (CLCs) that supports and recognises good practice in the delivery of community legal services. The NAS provides a quality assurance process that gives CLCs, funding bodies and clients confidence that CLCs are operating according to good practice and industry standards. The Environmental Defenders Office Ltd was assessed under NAS phase 3 during the 2021/22 financial year.



ACFID Code of Conduct



The Environmental Defenders Office is a member of the Australian Council for International Development (ACFID). ACFID maintains the ACFID Code of Conduct, a voluntary, self-regulatory sector code of good practice for organisations working in aid and development. EDO is committed to full adherence with the Code, conducting our work with transparency, accountability and integrity. For further information about the Code, please refer to www.acfid.asn.au. This site also includes information about how to make a complaint in relation to any breach of the Code.

To make a donation please visit
edo.org.au/donate

edo.org.au | ABN 72002 880 864 | FreeCall 1800 626 239 | Publication date 24/11/2022
Suite 8.02 Level 8, 6 O'Connell St, Gadi/Sydney NSW 2000 | PO Box 1105, Royal Exchange, NSW 1225



 @EDOLawyers
 @environmentaldefendersoffice

 @environmentaldefendersoffice
 @environmentaldefendersoffice