



*Freycinet National Park, Tasmania
Image donated to EDO Tasmania.*

EDOs of Australia

Protecting the environment through law



EDOs of Australia



Waterfall at Mt Tomah NSW
Photo: Leah-Anne Thompson

ABOUT THE EDOs OF AUSTRALIA

EDOs of Australia was established in 1996. Each of our independent, accredited community legal centres specialises in **public interest environmental law**.

Our core objectives are:



Protecting the environment through law.



Ensuring that the community receives expert legal **advice** and **representation** in public interest environmental matters.



Actively engaging in **policy and law reform** processes to improve environmental laws.



Building community skills and knowledge to facilitate public participation in environmental decision-making.

The EDOs are accredited members of the National Association of Community Legal Centres – independently operated not-for-profit community organisations that provide legal and related services to the public. EDO NSW is also the Australian coordinator of the Environmental Law Alliance Worldwide (E-LAW) – a global alliance of lawyers, scientists and others collaborating across borders to build a sustainable, just future.

If we hadn't found EDO, we couldn't have done it. The courts are a foreign place and speak a foreign language.

John Greacen,

Semi-retired grazier, opposing a proposed feedlot on the Condamine floodplain, Central Queensland

The EDO knowledge and efficiency not only was instrumental in getting the right outcome but it was also a great saving to the public and private purses of all the individuals and organisations involved.

Craig Boulderstone,

President, Woodcutters Road Environment Protection Association, SA

When community members were anxious about how to proceed, EDO Tasmania provided clear explanations about possible legal options and opportunities for community input into the assessment process...

Jane MacDonald,

former Communications Coordinator for Save Ralph's Bay Inc., Tasmania

Small communities such as ours do not have the knowledge or necessary resources to buy in the expertise to achieve an even playing field with well-funded, well-connected and powerful developers. EDO NSW has provided access to justice for our community and has held decision-makers to account.

Suzanne Whyte,

Catherine Hill Bay Progress Association, NSW

OUR CLIENTS SAY



Blueman's Creek, east coast Tasmania
Photo: Andrew Ricketts





A UNIQUE APPROACH TO ENVIRONMENTAL PROTECTION

We provide the Australian people with access to environmental justice. We can tailor our services to meet the particular needs of our clients.

We offer a range of services that are not provided by any other organisation, including:

- A skilled team of lawyers able to assist clients with preliminary advice through to court cases on a wide range of matters relating to protection of the environment.
- A network of scientists and other professionals able to provide expert advice on the technical aspects of environmental issues.
- Community educators skilled in providing workshops, legal guides and other tools to help ordinary Australians understand the law and participate in legal processes to protect the environment.

We provide the people of Australia with the assistance they need to protect the places they love.



BROAD ENVIRONMENTAL EXPERTISE

Nowhere else in Australia can you find the breadth and depth of skills in public interest environmental law that is found within EDOs of Australia. Our staff has extensive experience across a wide range of environmental issues, including:

- Climate change and energy
- Biodiversity and threatened species protection
- Aboriginal culture and heritage and access to country
- Water management
- Urban planning and heritage protection
- Mining and coal seam gas
- Forestry and native vegetation management
- Protected areas

Our work extends to the South Pacific, where we provide mentoring, advice and support to similar legal centres.

LEGAL ADVICE & REPRESENTATION

The law can be a powerful tool in a community's efforts to protect the environment and ensure development is sustainable. But environmental laws can be complex and bewildering. Legal advice from an EDO can ensure that people are better equipped to use the law appropriately. Initial telephone advice is free or provided at low cost. Expert advice provided by EDOs has helped thousands of clients achieve positive environmental outcomes right across Australia.

Recent examples of our advice work include:

Advice provided by EDO ACT to the Conservation Council of the ACT Region in relation to a planned development in the suburb of Coombs which put at risk both the threatened Pink-tailed Worm Lizard and its habitat as well as natural habitats in the Molonglo River Corridor. The advice provided by EDO ACT enabled the group to enter a mediation that resulted in improved protection of the lizard and exclusion of key areas within the bushfire prone buffer zone.

EDO NSW assisted a Camberwell (Hunter Valley) resident to access documents held by the Department of Environment and Planning on an open cut coal mine expansion proposed by Chinese company Yancoal. The Department had claimed the documents, records of a meeting and email contacts with Yancoal's legal advisor, were legally privileged. EDO NSW successfully argued that simply including Yancoal's legal advisor wasn't enough to prevent disclosure. The NSW Ombudsman and State Records Authority are now investigating whether the Department breached its own registered lobbyist contact protocol when it held the meeting with the company.

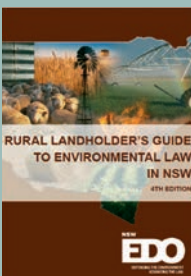
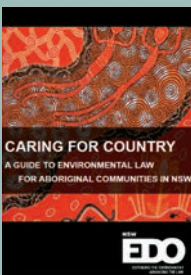
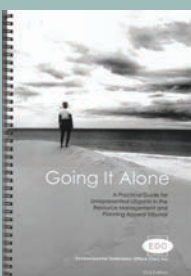
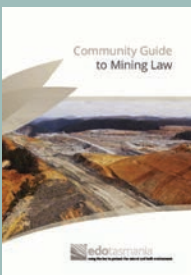
More complex legal problems may lead to EDO representation in court if the matter involves a public interest environmental issue.

In a recent high profile case, EDO WA assisted a community group to challenge the approval of a major liquified natural gas (LNG) hub at James Price Point, north of Broome. The development posed threats to the significant natural and Aboriginal heritage of the area, including ancient songlines and several protected species.

EDO WA was successful in convincing the Supreme Court that the approval had been unlawful and should be overturned. Significant community opposition and strong legal arguments helped to protect the many values of the area.

James Price Point
Photo: Ingetje Tadro





Some of the legal guides EDOs have produced to empower the community



COMMUNITY EDUCATION & LEGAL OUTREACH

We are dedicated to providing high quality community legal education and outreach services to our clients.

Plain English guides, available on-line and in print, explain various aspects of environmental law. We have produced a wide range of legal guides on topics as diverse as mining, private land conservation, coastal planning and conservation, caring for Aboriginal country, and representing yourself in court.

Fact Sheets available to download from EDO websites are a useful first step in identifying legal aspects of an environmental problem.

Community workshops and seminars help people understand the law and participate in environmental decision-making. We conduct an active workshop program across Australia.

The Productivity Commission report on Access to Justice Arrangements identifies that while court action may be seen as the central focus of the justice system, community legal education, legal information (including self-help kits) and minor advice help to better equip people to use the law effectively.

ENVIRONMENTAL POLICY & LAW REFORM

We respond to calls by government for submissions on proposed policy changes affecting the environment. We are also regularly invited by governments to contribute our expertise to parliamentary inquiries, expert panels and reference groups set up to examine aspects of environmental regulation. From time to time we prepare reports and undertake consultancy projects on areas in need of significant reform. We took an active role in responding to the Federal Government's plans to devolve its environmental decision-making powers to States (the so-called 'one stop shop' policy). We also contributed expert opinion to the development of the Murray-Darling Basin Plan and the Draft Basin-wide Environmental Watering Strategy and to the development of the Long-term Sustainability Plan for the Great Barrier Reef. We have also undertaken an assessment of the adequacy of threatened species and planning laws in Australia.

We are active leaders in advocating for sound law and policy to protect the environment at both a state and national level.

*Great Barrier Reef
Photo: WWF Australia*



INDIGENOUS ENGAGEMENT PROGRAM

Indigenous Australians have managed the land across Australia for tens of thousands of years. Yet they face particular challenges when interacting with environmental, resource management and planning law. As part of enhancing access to environmental justice, we have built relationships with Aboriginal communities and work to assist them

to better understand and utilise the many complicated laws relating to country, culture and heritage.

This work encompasses the full suite of environmental law services provided to other Australians – legal advice, litigation, policy and law reform, legal education and outreach.

EDO NSW has prepared a Guide to Environmental Law for Aboriginal Communities in NSW to help Aboriginal people understand their rights and obligations under environmental and natural resource management laws. Several of the cases run by the EDO NT have focused on protecting Aboriginal places from impacts of mining. These include waste discharge from the Redbank Copper mine in the Gulf of Carpentaria, pollution from Glencore's McArthur River mine, and failure to consult with Traditional Owners prior to exploration in an area containing sacred sites.

EDO NT solicitor David Morris discusses a case with Aboriginal custodians



HOW YOU CAN HELP THE EDOs OF AUSTRALIA

Since we were established, funding from State and Federal governments has provided each EDO with valuable support. However the Federal Government stopped all funding to EDOs from July 2014. In its September 2014 report on 'Access to Justice Arrangements', the Productivity Commission expressed a view that:

"There are strong grounds for the legal assistance sector to receive funding to undertake strategic advocacy, law reform and public interest litigation including in relation to environmental matters. The Australian, State and Territory Governments should provide funding for strategic advocacy and law reform activities that seek to identify and remedy systemic issues and so reduce demand for frontline services."



Despite this, the Federal Government has given no sign that it intends to restore the funding that was cut from EDOs in 2014. In fact, EDOs were specifically excluded from a decision in 2015 to restore \$25 million in funding that the Federal Government cut from the Legal Aid Sector. In the absence of government support, it is vital that EDOs of Australia maintains the strength of its financial base through a diversity of sources, and especially private funding.

OPTIONS TO PROVIDE SUPPORT INCLUDE:



Commissioning or sponsoring project work



Regular/workplace giving



Philanthropic contributions



Donations/bequests

HOW?

Contact your state's EDO to find out how you can help.



EDOs of Australia

ABN 85 763 839 004

www.edo.org.au

C/o EDO NSW

Level 5, 263 Clarence St,

Sydney NSW 2000 AUSTRALIA

T: +61 2 9262 6989 F: +61 2 9264 2414

AUSTRALIAN CAPITAL TERRITORY

NEW SOUTH WALES

NORTHERN TERRITORY

NORTHERN QUEENSLAND

QUEENSLAND

SOUTH AUSTRALIA

TASMANIA

WESTERN AUSTRALIA

GPO Box 574, Canberra 2601 | T: (02) 6243 3460 | W: www.edoact.org.au

5/263 Clarence St, Sydney NSW 2000 | T: (02) 9262 6989 | W: www.edonsw.org.au

GPO Box 4289, Darwin NT 0801 | T: (08) 8981 5883 | W: www.edont.org.au

1/ 96-98 Lake St, Cairns QLD 4870 | T: (07) 4031 4766 | W: www.edonq.org.au

30 Hardgrave Road, West End QLD 4101 | T: (07) 3211 4466 | W: www.edoqld.org.au

Level 1, 182 Victoria Square, Adelaide SA 5000 | T: (08) 8359 2222 | W: www.edosa.org.au

131 Macquarie Street, Hobart TAS 7000 | T: (03) 6223 2770 | W: www.edotas.org.au

Suite 4, 544 Hay St, Perth WA 6000 | T: (08) 9221 3030 | W: www.edowa.org.au