



2024

# Impact Report



Environmental  
Defenders Office

# Acknowledgment of Country

EDO recognises and pays respect to the many First Nations peoples of the lands, seas and rivers of Australia and the Torres Strait Islands, and to Elders past, present, and emerging.

EDO recognises the unique and unwavering connection First Nations peoples have with their Country. EDO understands that it cannot work towards a world where nature thrives without working alongside First Nations peoples to achieve this, as they are the original guardians of Country.

We recognise that Country was never ceded and express our deep remorse for the injustices and inequities that have been, and continue to be, endured by the First Nations of Australia and the Torres Strait Islands since the beginning of colonisation.

# Contents

A message from our Chair	2
A message from our CEO	3
Our Impact	4
The right to a healthy environment	6
The right to a safe climate	16
The right to culture	30
The right to challenge	40
The right to participate	52
Working with the environment sector	62
Governance	65
Acknowledgements	68
Reports & Publications	76

The Environmental Defenders Office uses the power of law to deliver legal solutions for nature, climate and people, driven by our vision of a world where nature thrives.

EDO began as a small group of lawyers in 1985 who were responding to the growth in community groups seeking legal representation to oppose major developments. By the mid-1990s EDO had formed offices in each Australian state and territory, operating as separate legal entities but part of a larger network. In 2019 nine offices merged into what is now the largest environmental legal services organisation in the Australia Pacific.



The last twelve months have been considerably challenging for the Environmental Defenders Office as the pressure on public interest environmental law has increased. Despite this pressure, we continue to scrutinise project impacts to combat immediate threats as well as deliver the systemic change required to ensure the well-being of future generations – both people and nature.

The imperative of public interest environmental law stems from the recognition of the consequences of our actions that shape the world our children will inherit.

Traditional legal frameworks often grapple with immediate societal concerns, however from climate collapse to the biodiversity crisis and cultural heritage loss, the profound repercussions of the decisions we make today will extend well into the future. We must consider the implications of today's policies and legal frameworks if we are to meet the needs of the present while safeguarding a safe, liveable planet for future generations.

The extraordinary impact of EDO demonstrates the power of the law to deliver environmental and cultural responsibility, where each generation as a custodian of the Earth is obligated to pass it on in a condition no worse than when it was received. The concept of intergenerational equity is powerfully represented in the work EDO does, working with and advocating for both First Nations and Pasifik peoples. The impact and importance of EDO bringing the 'court to country' as part of this reframing cannot be underestimated.

From a governance perspective the EDO board continues to be active contributing a very high level of expertise and experience and I'd like to take this opportunity to thank all the board directors for their selfless contribution to the work of EDO. In particular I would like to, on behalf of the Board and the wider EDO community, sincerely thank Dr Bronwyn Darlington for her leadership serving EDO as Chair for seven years and leading the organisation through the turbulence of the national merger and the Covid-19 disruptions in order to achieve a much brighter and successful future for EDO.

I would like to also take a moment to thank all of the EDO employees who have managed to deliver the outcomes and impacts you will read in this report. These extraordinary folk have delivered this work while also helping to build a stronger and more resilient organisation. And I would especially like to acknowledge and thank our CEO David Morris for his vision, energy, commitment and agility in leading into a new era of growth.

Finally I commend this impact report to you and hope it inspires you as much as it inspires me to engage more in our purpose of working with the community to protect wildlife, culture and climate, creating a planet where nature thrives.

Brent Wallace  
Chair

### Reflecting on progress and looking ahead

While we are no strangers to challenge, the past year has been a defining one for the Environmental Defenders Office (EDO). The challenges come on many fronts, but a fundamental truth remains, our organisation is operating at a time when demand for our services have never been greater. How could it be otherwise? Our team works on the defining issues of this time. The urgency for environmental justice, nature repair and climate action has never been greater. To say I am proud of the EDO team and encouraged by our incredible supporters would be a huge understatement.

This year, our expert team has continued to pioneer legal solutions that empower communities and protect ecosystems and the habitable climate upon which we all rely. We've represented clients fighting to defend critical habitats, protect cultural heritage and expose environmental neglect and greenwashing. EDO's work is a demonstration of the profound influence the law has on nature – the good and the bad. Our reform and advocacy work places a spotlight on the profound deficiencies in our laws, which sit uncomfortably with the value that communities across the Australia Pacific place on Nature.

Our achievements have been made possible by our supporters who have been unwavering in their support for the EDO, acknowledging the crucial role EDO plays within our legal system and our democracy itself.

The outcomes and impact we've achieved for clients, and the thought leadership we've contributed to has been made possible by our dedicated team whose expertise, creativity and passion drives our organisation forward. The hours of service-provision to at-risk communities, the landmark legal victories for clients, the contributions to important reforms..these are testament to the relentless efforts of the EDO team. As the region's largest public interest environmental law centre, we play a number of roles and the breadth of our work becomes apparent as you read this report. By way of example, our community legal education program reached over 2,100 people in the last year. Our solicitors provided over 12,000 hours of environmental justice legal services on issues ranging from pollution to threats to cultural heritage. Our law reform team published significant reports and presented to many formal inquiries, including submissions on the inadequacy of penalties in pollution control legislation.

So much of EDO's work requires many years of dedicated service provision - like the contribution our services made to the successful community campaign to prevent the development of Toondah Harbour on the site of the Ramsar listed Moreton Bay Wetland in Southeast Queensland, or our work with traditional custodians to achieve permanent protection for the sacred women's site, the Butterfly Cave on Awabakal land, New South Wales.

Our work seeks to not only address immediate threats, but also to lay the groundwork for systemic change that safeguards the rights of future generations. There is no finer example than our Pasifik Team's efforts to support Tuvalu's groundbreaking constitutional reforms to safeguard statehood against the existential threat of rising sea levels.



Looking ahead, the road will not be easy. The challenges we face – the climate crisis, the decline of nature and systemic inequality – are complex and persistent. However, they are not insurmountable. EDO is poised to deepen our impact and ensure that the power of the law is held in the hands of ordinary people who seek a safe climate, who value culture and nature, and who strive for equality. We are working to change our current trajectory, aiming for a world where nature thrives and where future generations inherit a planet brimming with hope and opportunity.

I extend my gratitude to the EDO Board who have been indefatigable over this year. I particularly want to acknowledge our long-term Chair Dr Bronwyn Darlington and her successor Brent Wallace who have been an exceptional support to me throughout this year. Most importantly, thank you to the supporters of EDO, to the staff team and to our volunteers. The resilience of this organisation and the dedication of its people and supporters inspires me every day.

David Morris  
CEO

# Our Impact

936

enquiries through EDO's National Intake Service

12,397

hours of environmental justice for overburdened communities

2,123

legal services provided across the Australia-Pasifik



9,640

hectares native forest subject to challenge

83

matters relating to the protection of cultural heritage

711

legal services for overburdened communities

247,095

online legal resources accessed

62

legal reform activities

2,189

people who benefitted from community legal outreach

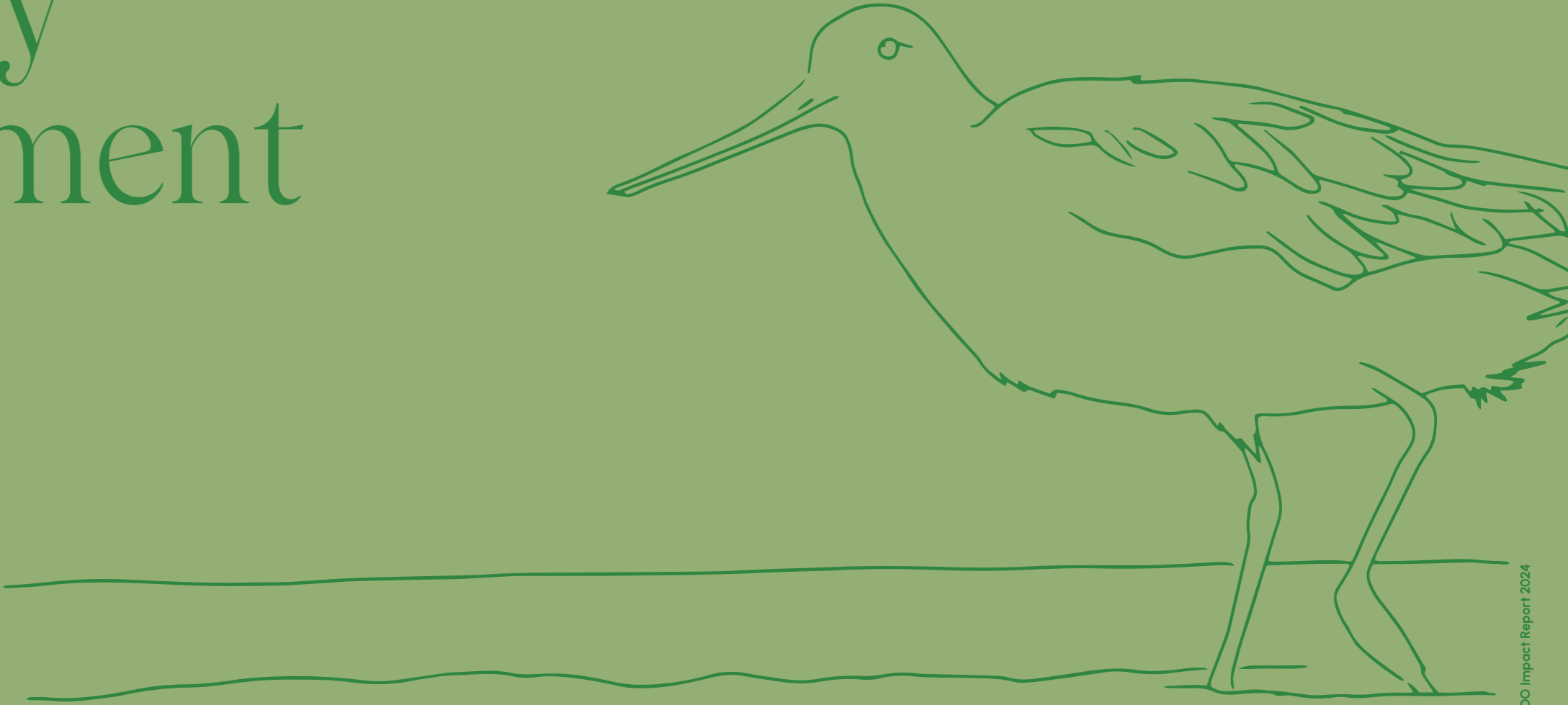
77,631

supporters

6,714

media & online broadcast mentions

# The right to a healthy environment



# Toondah Harbour saved from destructive development

**Location**  
 Quandamooka  
 Country/  
 Moreton Bay, QLD

**Client**  
 BirdLife Australia Ltd

**Developer**  
 Walker Group  
 Holdings Pty Ltd

**Status**  
 Development  
 proposal withdrawn

Toondah Harbour in Moreton Bay, east of Brisbane, is not just breathtakingly beautiful, it provides critical habitat for some of our most vulnerable animals – dugongs, turtles, koalas and migratory shorebirds, including the critically endangered eastern curlew.

Moreton Bay is recognised as being of significant value not only for Australia, but for the planet. The region is protected under the 1971 Ramsar Convention, an international environmental treaty to preserve representative, rare or unique wetlands, or those that are important for conserving biological diversity. Moreton Bay, the wetland, and the many threatened species that call it home, are also recognised under Australia's own national biodiversity laws.

Despite this, part of the Bay at Toondah Harbour came under threat from a massive real estate and marina proposal.

One of Australia's largest private developers, Walker Group, planned to destroy 42 hectares of Ramsar wetland to make way for 3,600 private apartments, shopping strips and a new marina.

EDO worked with the local community and environment groups including BirdLife Australia to protect the wetland site since the development was first proposed in 2015. This work included advising clients about the ongoing federal assessment of the project, other related approval processes, freedom of information requests and potential law reform to improve protection of the Ramsar site.

## Why we're doing this work

Walker Group's development was set to destroy 42 hectares of Ramsar wetland and irreplaceable feeding grounds for migratory birds. It could have permanently altered habitat important to 33,000 migratory shorebirds representing at least 28 species, including the critically endangered eastern curlew and vulnerable bar-tailed godwit.

Australia is facing a mounting extinction crisis across many fronts. The population of the eastern curlew has declined by up to 80% in the last 30 years, with developments along coastal habitats contributing to their decline.

## The impact of our work

After years of opposition from concerned citizens and community groups Walker Group withdrew its proposal for the mega real estate development, after the Minister for the Environment and Water, Tanya Plibersek, indicated she would reject the proposal.

Our clients celebrated the success of their long and hard-fought campaign to protect this incredible and precious wetland from destructive development. We're proud to have worked alongside the dedicated local community and environment groups since the development was first proposed in 2015.



“The Environmental Defenders Office have provided crucial legal and related policy advice throughout BirdLife’s seven-year campaign, including securing the release of important information through the Freedom of Information Act and assisting in the development of a submission guide for the public to provide meaningful comments to the draft Environmental Impact Statement.”

Andrew Hunter, Campaigns Manager BirdLife Australia

2013

QLD gov declares Toondah Harbour a Priority Development Area (PDA). PDA includes part of the Internationally listed Ramsar wetlands

2014

Walker Group selected as preferred developer

2015

Walker Group presents first and second development proposals including 3,600 apartments, 400-berth marina and hotel

2017

Internal Federal Government assessments label the second proposal as 'clearly unacceptable' and recommend it should not proceed

2018

Walker Group submits third revised proposal

2022

25,000 submissions made during the public consultation of the draft Environmental Impact Statement

2023

Walker Group submits final environmental assessment to the Federal Government

2024

Minister for the Environment and Water proposes to reject the application  
 Walker Group withdraws development proposal

# Win for the Reef and Hinchinbrook World Heritage after 30-year battle

**Location**  
Girramay Country/  
Girramay National  
Park and Great  
Barrier Reef Marine  
Park, QLD

**Client**  
Kenn Parker

In the spectacular Hinchinbrook region, we assisted our long-standing client Kenn Parker to protect the Girramay National Park and the Great Barrier Reef Marine Park from harmful acid sulphate run-off coming from the now-abandoned Port Hinchinbrook Marina Resort development.

Around 23,000 km<sup>2</sup> of the Queensland coast is likely to contain acid sulphate soils, with around 6,600 km<sup>2</sup> in catchments that flow to the Great Barrier Reef. These soils – originating from swamplands more than 35,000 years ago – are harmless if left undisturbed. If they are dug up or drained, and come into contact with oxygen, a chemical reaction occurs that turns the sulphate into sulfuric acid, and releases metals like iron and aluminium. This can mean major impacts on the surrounding environment.

The resort had included an all-tides, 250-berth marina and boat-ramp requiring large-scale dredging and mangrove removal. Spoil ponds designed to capture material unsettled by dredging activities, such as acid sulphate soils, had failed. These ponds were releasing run-off into the Girramay National Park and Southern Wet Tropics, harming habitat for the threatened southern cassowary and the mahogany glider.

Our legal and science teams assisted Mr Parker and worked closely with the QLD Department of Environment, Science and Innovation (DESI) to identify the environmental harm from the failed spoil ponds.

“EDO has stood side by side in our protection of the Hinchinbrook World Heritage area. Without the 30-year-long legal advice and the many legal challenges met head-on by EDO, a number of species of wildlife in this area would have been lost.”

Kenn Parker

## Why we're doing this work

The Girramay National Park is adjacent to the Great Barrier Reef Marine Park, a UNESCO World Heritage site and one of the most vibrant and complex ecosystems in the world. The Reef is home to unique threatened species such as dugongs and green turtles and the shallower marine areas support half the world's diversity of mangroves. Water pollution from acid sulphates posed a significant threat to the Reef's delicate ecosystem, making contamination from this failed development extremely concerning.

## The impact of our work

From our investigations and legal interventions, DESI issued an Environmental Protection Order to the owner of the failed resort to fix the spoil ponds to prevent further acid sulphate run-off. The department will also continue to monitor the site for any additional environmental harm.

1992

Property developer Keith Williams buys the Port Hinchinbrook site and its existing development permits

1994

Despite environmental opposition, QLD government attempts to fast track marina resort

1996

EDO North QLD works with concerned parties against development of the marina. Subsequent Senate Inquiry identifies many environmental risks including Acid Sulphate Soil Leachate

2011

Severe Tropical Cyclone Yasi causes significant damage with marina berths rendered almost useless

2016

Resort is purchased by Passage Holdings, who intend to relaunch the site as Hinchinbrook Harbour

2017

Passage Holdings enters into liquidation

2023

Client engages EDO after discovering acid sulphates from failed marina spoil ponds are being released into Girramay National Park & Southern Wet Tropics

2024

DESI issue Environmental Protection Order to the owner of the failed resort to fix spoil ponds

# Fight to protect QLD rainforests from water mining continues

**Location**  
Yugambah Country/  
Springbrook World  
Heritage Area, QLD

**Clients**  
Australian Rainforest  
Conservation Society  
Inc (ARCS)  
Gecko Environment  
Council Association Inc

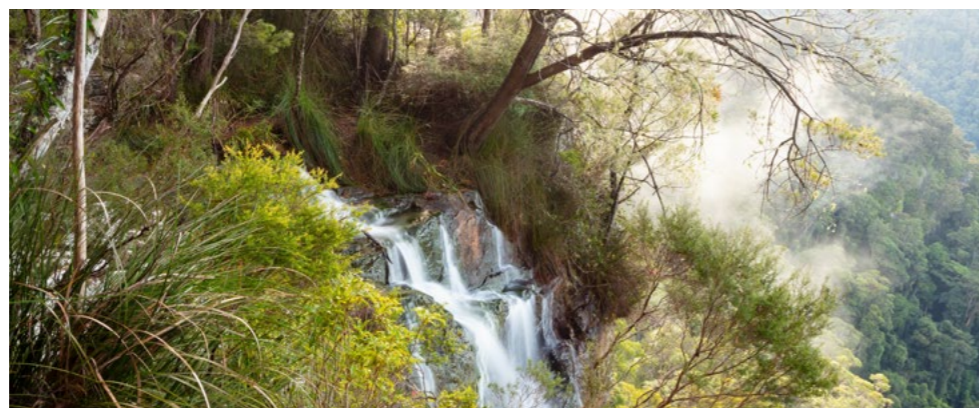
**Opponent**  
Hoffmann Drilling Pty  
Ltd (Graeme Ashley  
Hoffmann and Chuda  
Kaewmongkhon ATF  
Hoffmann Drilling Pty  
Ltd Superannuation  
Fund)

**Court**  
QLD Planning and  
Environment Court

EDO represented the Australian Rainforest Conservation Society Inc (ARCS) to defend the Springbrook Gondwana World Heritage Area in the Gold Coast hinterland from plans to mine, bottle and sell as “spring water” up to 16 million litres of water per year from the rainforest ecosystem.

Our client successfully negotiated conditions halving water extraction of a new water mining operator, Hoffmann Drilling Pty Ltd. In November 2023, the Queensland Planning and Environment Court ordered Hoffmann Drilling's permit be approved subject to extensive conditions, including halving water extraction to 8 million litres per year, monitoring and trigger points where pumping must stop to reduce impacts.

Advocacy work continues with EDO working with First Nations, local community members and concerned citizens focused on permanently ceasing new commercial water extraction and better regulation of existing operators, including Coca Cola in Springbrook and Mt Tamborine. Both areas are adjacent to precious national parks and Springbrook is home to the Gondwana World Heritage rainforest.



## Why we took the case

Springbrook is home to a globally important Gondwanan rainforest ecosystem and natural wonders like the Twin Falls. Water is the lifeblood of Springbrook's native plants and animals, including the endangered ravine orchid, cascade treefrog, and the near-threatened Albert's Lyrebird.

Australia's Gondwanan rainforests have remained largely unchanged for millennia because of their wet climate, but they rely on groundwater in dry periods. The survival of our rainforests depends on this groundwater being protected from water miners.

The area is already vulnerable to climate change impacts such as droughts, heatwaves, and bushfires of increasing frequency and intensity. All these threats mean groundwater is becoming essential to the rainforest's survival.

## The impact of our work

As a result of ARCS's four-year campaign, planning approval was granted but subject to strict conditions. These conditions include:

- An 8ML annual cap on water take, half the take originally proposed by Hoffmann Drilling.

- 12 months of baseline assessments of the state of the environment before pumping starts.
- Trigger points where pumping must cease entirely, such as where water stress is being demonstrated in the surrounding ecosystem.
- Comprehensive ongoing monitoring.
- Restrictions on the number of truck movements to and from the site.

## Vale Dr Keith Scott

Australian Rainforest Conservation Society (ARCS) Director and co-founder Dr Keith Scott was actively involved in conservation since the late sixties, working tirelessly to protect the rainforests we all love.

Keith's scientific excellence, passion, and engagement at community and political levels helped protect over 1.5 million hectares of rainforest and wet forest. He and Dr Aila Keto prepared the World Heritage nominations for Wet Tropics of Queensland, Fraser Island and Central Eastern Rainforest Reserves of Australia (now Gondwana Rainforests of Australia) and Keith's scientific knowledge and attention to detail was key in defeating the developer's planning appeal to extract groundwater in Springbrook National Park.

“The ecosystems of Springbrook National Park and its surrounds are priceless refuges for a whole host of plants and animals, many of which have ancient lineages and exist nowhere else on Earth.”

Dr Aila Keto AO, President Australian Rainforest Conservation Society

## 2019

Tamborine Mountain State School, local bores and tanks run out of water

## 2020

Hoffmann Drilling applies for water mining approval  
Gold Coast City Council refuses application

## 2021

Hoffmann Drilling files appeal  
Springbrook residents, ARCS and Gecko join appeal as co-respondents

EDO represents ARCS in a merits appeal in QLD Planning and Environment Court  
Water mining moratorium extended in 2021, 2022 and 2023

## 2023

After months of negotiations Hoffmann Drilling agrees to halve proposed extraction along with rigorous conditions based on scientific evidence

Review of Gold Coast Water Plan commences  
EDO provides advice to community members seeking to understand complex water law and improve regulation

of commercial water extraction at Springbrook and the Gold Coast

## 2024

Moratorium extended a fourth time for Tamborine Mountain & Springbrook areas, continuing to prevent any new commercial water extraction licences



# Residents near Cadia gold mine fight for clean air and water

**Location**  
Wiradjuri Country/  
Cadia, 22km from  
Orange, NSW

**Client**  
Cadia Community  
Sustainability  
Network (CCSN)

**Mine owner**  
Cadia Holdings Pty Ltd

In March 2023, EDO began assisting Cadia Community Sustainability Network (CCSN) in relation to pollution likely caused by dust emissions from the Newcrest Cadia gold mine. Elevated levels of heavy metals were discovered in rainwater tanks of local landowners and were also present in blood tests of community members. Despite many reports made by the community of dust from the mine blanketing the region to the NSW Environment Protection Authority (EPA), the EPA were not taking our client's concerns seriously.

We assisted our client to make multiple interventions, demanding the EPA act urgently to protect human health from air and water pollution. On CCSN's behalf, we advocated to the EPA and the NSW Department of Planning and Environment to properly regulate the mine and its pollution.

We provided CCSN with extensive advice on pollution, environment, and planning law and gave them advice setting out various legal options that could be pursued on the mine's pollution.

On our client's behalf, we also made a complaint to the Australian Securities Exchange (ASX) and Australian Securities and Investments Commission (ASIC) over representations made by the mining company to the market regarding findings of a pollution study ordered by the EPA after our interventions.

We also made a detailed submission to the Legislative Council Inquiry into the current and potential impacts of gold, silver, lead and zinc mining on human health, land, air and water quality in NSW. The final Report of the Inquiry referred to our submission at length and made a recommendation based on one of our key observations - that penalty infringement notice amounts were not sufficient to deter non-compliance with pollution control legislation. This recommendation was then enacted (and explicitly acknowledged in the second reading speech) in the *Environment Protection Legislation Amendment (Stronger Regulation and Penalties) Bill 2024*.

## Why we're doing this work

All Australians deserve clean air, safe water, and a healthy environment. They should feel confident that the institutions designed to protect our communities and environmental health are properly safeguarding them. For years, the Cadia community's concerns about mining pollution were not taken seriously by the EPA. EDO's assistance contributed to changing this.

## The impact of our work

Our work and advocacy contributed to motivating the EPA to take the following enforcement action:

- issue a prevention notice and variation on the mine's pollution licence
- take the unusual step of prosecuting the mine for five offences in the NSW Land and Environment Court. Cadia has pleaded guilty to three of these five offences
- undertake a review of the mine's life, outside of the regular five-yearly review cycle.

Based on our evidence to the Legislative Council *Inquiry into the current and potential impacts of gold, silver, lead and zinc mining on human health, land, air and water quality in New South Wales*, the Committee recommended penalty infringement notice amounts be increased. The NSW Government has since implemented this recommendation into law.

## 2018

Between 2018-22 local community members, including members of the Cadia Community Sustainability Network (CCSN) make numerous reports to the NSW EPA

citing frequent visible dust plumes from the Newcrest Cadia gold mine. The EPA did not respond to most of these reports beyond an acknowledgement email

## 2022

Independent air quality audit found air pollution emissions from CVO up to 18 times the maximum set out in the Protection of the Environment Operations (Clean Air) Regulation

Independent testing of rainwater tanks found heavy metal contamination. Most properties within a 15km radius of the gold mine rely on rainwater for their potable water supply

## 2023

EDO begins assisting CCSN  
CCSN, advised by EDO, meets with the CEO of the EPA. The EPA begins taking action on the issue

EDO makes submission to *Inquiry into current and potential impacts of gold, silver, lead and zinc mining on human health, land, air and water quality in NSW*

Final Inquiry report makes 11 recommendations including increases to penalty infringement notice amounts, directly aligned with EDO's submission

EPA commences prosecutions against Newcrest Cadia gold mine over alleged dust pollution. Newcrest pleads guilty. EPA commences four further prosecutions

# The right to a safe climate



# Challenge against Woodside alleged greenwashing

**Client**  
Greenpeace Australia Pacific Ltd

**Opponent**  
Woodside Energy Group Ltd

**Court**  
Federal Court of Australia

**Case status as of June 30 2024**  
Case filed December 2023

Our client, Greenpeace, launched a major case in the Federal Court of Australia against the country's biggest energy company, Woodside.

Greenpeace alleges that the fossil fuel giant has been misleading and deceiving the Australian public about the enormous climate harm of its gas and oil projects.

Woodside claims to have cut down on emissions produced from extracting and processing its gas and oil by 11% in 2022.

Our client will argue that in reality, Woodside relied heavily on carbon offsets and its actual emissions went up by more than 3%.

Woodside also publicly claims to have a plan to achieve net zero emissions by 2050, but the company fails to mention its target doesn't apply to Scope 3 emissions. Scope 3 are the emissions created as consequence of a company's activities; such as those emissions generated through the burning of export gas elsewhere in the world. This category of emissions makes up over 90% of Woodside's carbon pollution.

We're asking the Federal Court to rule that Woodside's claims are misleading. These claims should be corrected and the fossil fuel giant should be prevented from making these claims.

“Greenpeace won't stand idly by as Australia's biggest climate threat – a company that is profiteering from climate devastation – buries the truth about its impact in the fine print.”

David Ritter, CEO Greenpeace Australia Pacific

## Why we took the case

This is the critical decade for climate action and greenwashing is holding us back from fixing the climate crisis.

It undermines efforts to rapidly cut greenhouse gas emissions and transition to a more sustainable economy by allowing companies to make misleading claims they are taking action while continuing business as usual.

Our client believes that Woodside is misleading shareholders and the Australian public, actively expanding its fossil fuel production with new gas projects like the Burrup Hub in Western Australia.

# The disused coal mine polluting a national park

**Location**  
Dharawal Country/  
Dharawal National  
Park, NSW

**Client**  
Protect Our Water  
Catchment Inc  
(POWC)

**Mine owner**  
Illawarra Coal –  
South32 Ltd

Deep in Dharawal National Park southwest of Sydney, a decommissioned coal mine has been leaking unabated methane – a potent greenhouse gas – for decades.

And, despite mining operations ceasing in 1990, there have been unlawful deposits of coal wash and the use of coal wash for road capping at the site, creating significant bushfire risk.

On behalf of our clients, Protect Our Water Catchment (POWC), we have called on government regulators to ensure the mine owner fulfils its obligations to rehabilitate the site, and plug the dangerous methane leak. POWC argue the NSW Environmental Protection Authority (EPA) has a responsibility to regulate methane emissions from the site, and a duty to protect the environment by ensuring the coal wash is cleaned up; the National Parks and Wildlife Service has a duty to protect the National Park; the NSW Department of Planning, Housing and Infrastructure has an obligation to enforce conditions of development consent; and the NSW Resources Regulator has a duty to enforce rehabilitation conditions under the Mining Lease.

“They are emitting methane and methane is a really potent greenhouse gas. It’s appalling that they’ve been doing so for thirty years.”

Deirdre Stuart, Protect Our Water Catchment



1990

Coal extraction ceases at the North Cliff mine site, which is part of the Appin Mine

2012

NSW gov declares a national park over North Cliff site shafts #3 & #4 within the Appin mine, but carve out footprints for shaft entry and venting as well as roads in and out

2016

POWC discover leaking methane from the Appin Mine

2022

EDO begins working with Protect Our Water Catchment (POWC) to investigate pollution issues at the Appin Mine, and pursue appropriate remediation and rehabilitation of the site

2024

Review of aerial photographs show that stockpiles of coal wash have been at the location since the 1990s creating a bushfire risk in the national park

Review of departmental records confirms North Cliff mine site has never been put into 'care and maintenance' which is when a mine ceases production and procedures are put into

place to ensure the site is managed safely  
EDO assists POWC to call on ministers, gov departments, agencies and regulators to enforce Appin mine owners'

obligations to rehabilitate the site  
Appin mine sold to overseas entity owned by Golden Energy & Resources (GEAR) & M Resources

## The disused coal mine polluting a national park cont.

### Why we're doing this work

Fugitive emissions – the leaking of gases from coal and gas developments – are a serious problem.

Methane is particularly dangerous to our environment: responsible for around 30% of the rise in global temperatures since the industrial revolution, it's at least 80 times more potent at trapping heat in our atmosphere than carbon dioxide (CO<sub>2</sub>) over a 20-year time period.

However, it also has a shorter atmospheric life of approximately 12 years, meaning efforts to reduce methane emissions can have a considerable impact on reducing warming in the near term.

The International Energy Agency estimates Australian coal and gas production could be emitting more than double the methane that companies are reporting. Underestimated methane emissions could put Australia's climate targets out of reach.

Methane pollution has local impacts too. It reacts in our atmosphere to form ground-level ozone which harms forests, sensitive ecosystems and people. Long-term exposure to ground-level ozone can lead to respiratory disease and early death.

In addition to leaking methane, stockpiles of coal wash – a waste by-product of mining operations – have been found in Dharawal National Park. The national park is home to over 500 species including 30 threatened animal species and 10 threatened plant species, and has been declared an asset of intergenerational significance under the *National Parks and Wildlife Act 1974*. Dharawal National Park is centrally located in the recently established Bungonia Area of Regional Koala Significance.

O'Hares Creek Catchment, which falls within the Dharawal National Park and surrounds the site, has been declared a special area under the *Water NSW Act 2014*, and is listed on the Register of the National Estate.



### The impact of our work

On behalf of POWC, we have notified regulators of the leaking methane and the coal wash stockpiles, and an investigation has since been launched by the NSW Resources Regulator.

The mine site has not been in use since 1990 and for some 30 years has, with the full knowledge of the mine operator, been left to vent unabated coal seam methane, a potent greenhouse gas which causes significant environmental harm and poses a fire risk in this sensitive bushland site.

This process has highlighted the lack of a clear responsibility for the management of developments such as coal mines which fall within national parks, and how methane is to be abated across mine sites within ecologically sensitive areas and more generally.

Our clients hope that the Appin Mine owner is made to comply with its rehabilitation requirements by plugging the methane that is leaking into Dharawal National Park and removing all stockpiles of coal wash.

POWC is also hoping to see the mine owners fined with the maximum penalty of up to \$1.1 million per offence for breaching the conditions of their license.

The cumulative impacts of the leaking methane and the coal wash dumps pose an unacceptable bushfire threat to this area of significant biodiversity. A national park with such a diverse array of animal and plant life is no place for dumping coal mine waste.

# Landmark court victory becomes law in NSW

**Location**  
NSW

**Client**  
Bushfire Survivors for Climate Action Inc (BSCA)

In 2021, EDO represented the Bushfire Survivors for Climate Action (BSCA), a grassroots constituency and advocacy group, in a groundbreaking case in the NSW Land and Environment Court against the NSW Environment Protection Authority (EPA).

Our clients sought to encourage – and if necessary, compel – the EPA to develop policies and guidelines to regulate greenhouse gas emissions and ensure a safe climate.

EDO argued on our client's behalf that the EPA is not only explicitly empowered by its legislation to take strong action on climate change by controlling the emission of greenhouse gases, but also required to do this under its own laws.

Almost two-and-a-half years after our clients first lodged their groundbreaking case against the agency, the NSW EPA released its Climate Change Policy and Action Plan.

In April 2024, our client's 2021 court win was set down in law, with the *Environment Protection Legislation Amendment (Stronger Regulation and Penalties)* Bill amending s 9 of the *Protection of the Environment Operations Act 1997* (POEO Act).

The amendment included "environmental protection from climate change" as an example of the type of objectives, guidelines and policies the EPA is required to prepare.

## Why we're doing this work

The unregulated release of greenhouse gases is the greatest threat to the environment and people of NSW.

Before our client's landmark victory in court, the NSW EPA had no policy to adequately address climate change and did not regulate the state's emissions.

The EPA is an agency with teeth, and it is in a unique position to lead action against climate change. The agency can issue licenses to control pollution and put caps and prices on substances harmful to the environment. As part of the amendment to the POEA, the EPA has gained more comprehensive powers to address climate change and achieve carbon neutrality in NSW.

## The impact of our work

Our client's win against the EPA in August 2021 continues to impact climate policy in NSW and this year the Court's decision was enshrined in legislation.

NSW Minister for Climate Change, Energy and the Environment Penny Sharpe, acknowledged in her Second Reading Speech that the changes to the POEA:

"...include clarifying the EPA's existing statutory duties and functions relating to the threats of climate change to reflect the court decision in *Bushfire Survivors for Climate Action Incorporated v Environment Protection Authority* [2021]".

BSCA continues to apply pressure to the EPA, seeking stronger and faster climate action. In July 2024, the EPA released for consultation a draft *Greenhouse Gas Assessment Guide for Large Emitters*. And in August 2024, the EPA began a state-wide coal mine consultation.

These actions stem from our client's 2021 win. This historic case will continue to have impact as organisations keep up the pressure on government and the EPA to more effectively regulate greenhouse gas emissions.

“BSCA members are heartened that the outcome of our historic court win has made its way into law. On behalf of our members, and all Australians at risk from climate damage, we continue to monitor the agency and hold it to account on its regulation of greenhouse gas emissions.”

Serena Joyner, CEO Bushfire Survivors for Climate Action

2020

Bushfire Survivors for Climate Action launch their case against the NSW Environment Protection Authority (EPA), to compel the

agency to regulate greenhouse gas emissions and make a plan to address climate change

2021

NSW Land and Environment Court rules that the NSW EPA has a duty to take serious action on greenhouse gas emissions and climate change

2023

NSW EPA released its Climate Change Policy and Climate Change Action Plan 2023-26

2024

s 9 of the *Protection of the Environment Administration Act 1991* (POEA Act) is amended to include environmental protection from climate change

Amendment is set down in law

NSW EPA releases a draft *Greenhouse Gas Assessment Guide for Large Emitters* for consultation, as well as commencing a state-wide coal mine consultation

# Approval of Australia's largest proposed new coal mine challenged

**Location**  
Barada Barna  
Country/  
Bowen Basin, QLD

**Clients**  
Australian  
Conservation  
Foundation Inc (ACF)  
Mackay Conservation  
Group Inc (MCG)

**Opponent**  
Whitehaven Coal Ltd

**Court**  
QLD Land Court

**Case status**  
Case filed April 2024  
Hearing date set for  
July 2025

**Lifetime emissions**  
584 Mt

EDO is representing the Australian Conservation Foundation and Mackay Conservation Group in the Queensland Land Court, as they seek the refusal of the Winchester South coal mine, proposed for the Bowen Basin.

Our clients will argue the court should recommend no mining lease or environmental authority be granted for the Winchester South project due to its significant environmental and human rights impacts.

## Why we took the case

Whitehaven Coal's Winchester South project is Australia's largest proposed new coal mine. If the mine goes ahead, it will generate at least 584 million tonnes of carbon emissions over its lifetime – more than the entire annual emissions of Australia. Whitehaven Coal intends to extract up to 17 million tonnes of thermal and metallurgical coal each year for 28 years.

The mine would also emit huge volumes of super-warming, unchecked methane into the air, adding to the already severely under-reported methane coming from the Bowen Basin.

To make way for this enormous new coal mine at least 2,000 hectares of wildlife habitat is set to be destroyed. This habitat is home to endangered and threatened species including koalas, the greater glider, the Australian painted snipe, the ornamental snake and squatter pigeon.

The Winchester South mine would also have an unacceptable impact on water resources, including the Isaac floodplain and groundwater aquifers.

Our clients are also concerned about the mine's impact on human rights due to the climate consequences on generations of Queenslanders. They believe Whitehaven's poor environmental track record makes them an unsuitable company to operate this mine.

## The impact of our work

If our client is successful and the court recommends no mining lease for the Winchester South mine, at least 583 million tonnes of emissions will be prevented from entering our atmosphere by keeping the coal safely in the ground.

“Keeping coal in the ground today will protect lives, livelihoods and nature for generations to come.”

Imogen Lindenberg, climate campaigner Mackay Conservation Group

# Considering climate impacts on Water Sharing Plans

## Location

Bigambul, Githabul, Kambuwal, Gomerol/Kamilaroi, Kwiambul, Ngarabal/Northern Murray-Darling Basin, NSW

## Client

Nature Conservation Council of NSW Inc (NCC)

## Opponent

Government of NSW

## Court

NSW Land and Environment Court

## Case status

Case settled with favourable outcomes

In March 2024, our client, the Nature Conservation Council of NSW (NCC), settled its case against the NSW Minister for Water Resources and Minister for Climate Change and the Environment, challenging the validity of the Border Rivers Water Sharing Plan (WSP). EDO filed the case on behalf of NCC in 2021, arguing that then former ministers Pavey & Kean failed to properly consider future climate change when making the Border Rivers WSP.

The Border Rivers WSP is the prevailing management plan that dictates when and how much water can be taken by water users in the region. WSPs aim to protect environmental health and ensure long term sustainability of water sources.

This case was the first time a plan for sharing water had been brought to court over climate change.

NCC argued that by relying on historical climate data when formalising the Border Rivers WSP, the ministers failed to properly consider climate change. In doing so, they did not adequately consider catchment-wide limits on extractions from the river that impact the Border Rivers region, as well as surrounding floodplains and downstream rivers and communities. In addition, NCC alleged that setting drought reserves for basic landholder rights based on lowest inflows up to July 2009 was unlawful, not only because it excluded the most recent and severe drought on record, but also because it excluded future climate change.

Just days before the matter was due for a five-day hearing before the NSW Land and Environment Court, EDO led negotiations to resolve the matter, with the current ministers committing to consider the future impacts of climate change on water flows, including extraction limits and allocations. Importantly, the ministers also committed to obtaining independent reviews of this work.

## Why we took the case

The Murray-Darling Basin is one of Australia's largest and most complex river systems that covers an area of more than one-million square kilometres and crosses four states, one territory and 16 internationally recognised and protected wetlands. It is home to more than 50 species of native fish, 120 species of native and migratory birds including Endangered and Vulnerable species. More than 2.4 million people live in the Basin, including people from more than 50 different First Nations.

The Border River catchment is in the northern Basin and sits along the NSW/QLD border and includes the Macintyre and Severn Rivers.

## The impact of our work

Challenging a plan for water sharing before a court over climate change was an Australian and world legal first. On behalf of NCC, EDO argued, and the court agreed, that hearing expert scientific evidence underpinning the link between

climate change and water availability and quality was necessary to allow the court to understand the complexity of climate science, hydrology, and freshwater ecology. By ensuring scientific expert evidence on climate change is before the courts, EDO is setting important legal precedent that can bolster arguments about the legal requirements of water planning decisions.

The agreement from the NSW Government to consider and have independent reviews on the impacts of climate change on water flows, without our clients having to go to a court hearing, is a successful outcome. It demonstrates a commitment to improve the water sharing planning process. Importantly, such improvements should mean more water for fragile ecosystems across the Murray-Darling Basin and in turn healthier river systems and greater water security for downstream communities.

EDO will continue our work with NCC to facilitate the important NSW Government policy commitments, and push for relevant law reform.

“This is a big win for the rivers and people of NSW. As the extremes of climate change loom large, water-sharing arrangements will have to align with the reality on the ground. With this agreement the NSW Government has made a strong commitment to improve the way rivers are managed, and NCC will work with the ministers to ensure it is delivered. The health of the rivers depends on it.”

Mel Gray, Nature Conservation Council NSW water campaigner



# The right to culture



# Seismic blasting legal challenge

**Location**  
Murujuga/Burrup Peninsula, WA

**Client**  
Raelene Cooper

**Opponent**  
Woodside Energy Group Ltd

**Court**  
Federal Court of Australia

**Case status**  
Outcome in favour of client

Represented by EDO, Mardathoonera woman Raelene Cooper successfully challenged Woodside Energy's approval to conduct seismic blasting for its Scarborough Gas Project offshore from Murujuga or the Burrup Peninsula in Western Australia.

Our client was concerned about potential impacts of seismic blasting on marine life such as whales, which can include damage to their hearing and their ability to communicate, stress, displacement from habitat, and physical injuries.

In the Federal Court, our client argued the National Offshore Petroleum Safety and Environmental Management Authority (NOPSEMA) made a legal error in approving the blasting because Woodside had not met the stakeholder consultation requirements.

“No one is more relevant to consult about the threat posed by Woodside’s Burrup Hub than Traditional Custodians of Murujuga with cultural, spiritual and family connections to our sacred ngurra. We know what it takes to protect our Country and keep it safe for all of us – plants, animals and humans.”

Mardathoonera woman Raelene Cooper

## Why we took the case

Seismic testing uses compressed air to create pulses of sound aimed at the sea floor, with sound patterns mapping geological layers beneath the seabed.

Aboriginal and Torres Strait Islander peoples are already on the frontlines of climate impacts like sea level rises, bushfires, droughts, floods and changes to their Countries which risk their ability to practice their rich and ancient cultures.

Our client was deeply concerned about the seismic activity's impact on her songlines, and on whales and turtles, which are of high cultural importance.

## The impact of our work

Justice Colvin decided that NOPSEMA's decision to approve Woodside's plan was invalid and should be set aside, granting an urgent interlocutory injunction preventing Woodside from commencing blasting.

Although Woodside was subsequently granted approval to conduct seismic blasting, it's through this case and our client's ongoing advocacy that Woodside adopted extra protections in their updated Environmental Management Plan. These additional protections minimised impacts to sea turtles, whales and associated songlines, including 500m observation zones and 100m shut down zones for sea turtles.

Woodside also updated its noise adaptive management plan for pygmy blue whales to also include humpback whales, adopting a 2km observation zone for all whales.



# Sacred Butterfly Cave saved from destructive housing development

**Location**  
Awabakal Country,  
Hunter Region, NSW

**Client**  
Sugarloaf & Districts  
Action Group Inc  
(SDAG)

**Developer**  
Hammersmith Pty Ltd/  
Roche Group

For over 10 years, EDO assisted the Sugarloaf & Districts Action Group (SDAG) in its fight to protect the sacred Awabakal Butterfly Cave women's site from a housing development. Our client is a small community group which includes cultural knowledge holders for the Butterfly Cave.

SDAG has been fighting for the permanent protection of the Butterfly Cave and surrounding bushland for over 13 years, facing strong opposition. In June 2024, they won their hard-fought battle, securing permanent protection of this sacred women's site.

EDO supported SDAG's fight to protect the Butterfly Cave by preparing formal letters, briefings, memos, as well as countless emails and phone calls to state and federal ministers and agencies on SDAG's behalf. EDO also supported SDAG by attending meetings with government ministers and agencies.

EDO provided detailed advice to both our clients and the NSW Environment Minister on why acquisition under the *National Parks and Wildlife Act 1974* was necessary to permanently protect the cave. This advice was ultimately accepted and implemented by the NSW Environment Minister in June 2024.

“We want to thank our extraordinary legal team at the Environmental Defenders Office. We could not have asked for stronger women to guide us. We valued their expertise, and now value their friendship.”

Annie Freer, Sugarloaf & Districts Action Group

## Why we're doing this work

The Butterfly Cave has been used by Awabakal women for generations as a place for cultural practices and sacred women's business. More recently the Butterfly Cave has been used to provide a safe educational space for young First Nations girls and women, including through the Sista Speak program.

Despite having statutory protections at both the state and federal level, the Butterfly Cave was still at risk from an approved housing development that would have destroyed the journey path to the Butterfly Cave. The development would also have impacted water flows, and construction vibration could have caused the Butterfly Cave to collapse. The development would have resulted in the removal of the bushland surrounding the cave, destroying the seclusion and privacy fundamental to its traditional and ongoing use. This would have been a desecration of a place of deep cultural value.

## The impact of our work

In June 2024, the NSW Government announced that the developer had agreed to sell the Butterfly Cave and the surrounding bushland. The NSW Environment Minister also advised our clients that once acquired, the land would be permanently protected by being reserved under the *National Parks and Wildlife Act 1974* (NSW) and the existing Aboriginal Place declaration, which currently only covers the structure of the cave, would be extended to protect the entire acquired area. This is exactly what we advised our clients and advocated to the Minister.

Our clients are overjoyed – after 13 years of fighting to protect the cave they have achieved their goal of permanent protection for this sacred women's site for future generations of First Nations girls and women.

2011

Development application for residential subdivision lodged. Stages 7 and 9 of the development will harm and desecrate the sacred Butterfly Cave if built

2012

SDAG begins its fight to protect the Butterfly Cave and surrounding bushland

2013

Development application approved. SDAG approaches EDO for assistance

The Butterfly Cave is declared a NSW Aboriginal Place under the *National Parks and Wildlife Act 1974* (NSW)

2019

s 10 declaration under the Commonwealth *Aboriginal and Torres Strait Islander Heritage Protection Act 1984* is made in relation to the Butterfly Cave

2024

NSW government formally acquires the Butterfly Cave and surrounding bushland, to be managed by the NSW National Parks and Wildlife Service, protecting the cave in

perpetuity under the *National Parks and Wildlife Act 1974*

# Fighting for water justice in the lower Murray-Darling



**Location**  
Murray-Darling Basin,  
NSW

**Client**  
Murray Lower Darling  
Rivers Indigenous  
Nations (MLDRIN)

**Opponents**  
Commonwealth  
of Australia  
Federal Minister  
for the Environment  
and Water  
Murray-Darling  
Basin Authority  
State of New  
South Wales

**Court**  
Federal Court  
of Australia

**Case status**  
Hearing listed for  
February 2025

A confederation of Traditional Owners in the lower Murray-Darling Basin has launched a legal challenge against the accreditation of a NSW Water Resource Plan (WRP). The case challenges decisions made by the Federal Minister for the Environment and Water and the Murray Darling Basin Authority.

WRPs must comply with the *Water Act 2007* (Cth), which provides the legislative framework for ensuring that the Murray Darling Basin is properly managed. Our client, the Murray Lower Darling Rivers Indigenous Nations (MLDRIN), says it repeatedly raised concerns about the consultation process that informed the WRP. It also indicated the WRP lacked consideration of the objectives, values and interests of relevant First Nations peoples and the water resources of the WRP area. However, the Minister nonetheless accredited the WRP in 2022.

Our client will ask the Federal Court to rule that the Minister's accreditation of the WRP was not lawful.

As a confederation of Nations across the Lower Basin, MLDRIN has a responsibility and commitment to ensuring its members are given due respect. The WRP will exist for years to come and EDO is assisting MLDRIN to ensure that WRPs are done correctly from the beginning of the process.

“Our culture has survived for millennia. The Murray-Darling isn't just a river system, it's our life blood, the source of our culture to take legal action. Water is life for us, without it the injustice against our people continues.”

Brendan Kennedy, MLDRIN Deputy Chair, and Tati Tati Millu Wudungji (Murray River man)

## Why we took the case

To First Nations peoples, the Basin is more than a river system—its cultural importance is enormous. Basin Nations have a cultural and moral obligation to care for Country, including all waterways. This has included careful custodianship of rivers and groundwater systems, and the interconnected ecosystems that depend on them, for tens of thousands of years.

In contrast, just 240 years of government regulation has led to severe ecological degradation across the Basin.

Decades of mismanagement of the Basin has caused suffering for First Nations communities. This is an important case for them to achieve some measure of water justice.

Activating the rights and knowledge systems of Basin Nations will be critical to achieving healthy Country in the Basin. To be able to do that Basin Nations need to be properly consulted on and able to contribute to the laws, regulations and plans that everyone in the system must abide by.

## The impact of our work

If successful, MLDRIN will call on NSW authorities to undertake proper consultation with Basin Nations to ensure all the State's WRPs meet Basin Plan requirements.

MLDRIN also expects the Federal Government and the Murray Darling Basin Authority to listen more carefully to, and meaningfully address, the feedback and concerns of Traditional Owners in the assessment of WRPs.

Proper consultation would support and facilitate better quality WRPs in reflection of First Nations objectives, values and interests. This in turn can provide opportunities to support the advancement of Traditional Owner rights to protect, manage and own water resources, and to address Aboriginal water injustice including mismanagement and dispossession.

This is the first time a court will consider the Basin Plan's requirements for the accreditation of WRPs. Not only will it be an opportunity to clarify the existing law, but it can promote concrete discussions about the need for law reform to address Aboriginal water injustice.

This work is timely as the Basin Plan is scheduled for formal review in 2026 and the Water Act is scheduled for review in 2027.

# World-first Constitutional Reform Project in Tuvalu

In September 2023, Tuvalu enshrined a new definition of statehood in its Constitution. A world-first, the Constitution now asserts the State of Tuvalu will continue to exist, even if its landmass disappears under rising sea levels.

Under current international law, a State needs a permanent population, a defined physical territory, a government, and the capacity to enter into relations with the other states in order to maintain its statehood.

With climate change threatening the permanent loss of Tuvalu's defined physical territory, their statehood could be lost.

The Tuvalu Constitutional Review Parliamentary Select Committee (CRC) wanted to address this uncertainty by creating a clear recognition in the Constitution that maintains the Statehood of Tuvalu.

EDO's Pasifik Program worked with the CRC, providing expert assistance on a proposed amendment which sought to preserve the Statehood of Tuvalu if their physical territory becomes submerged.

“For us it means much more than just the physical territory, it’s our culture, history and the spirit of the people.”

Simon Kofe MP, Constitutional Reform Commission chair

## Why we're doing this work

Tuvalu is a collection of nine coral atolls and islands in the heart of the Pacific Ocean, experiencing the devastating impacts of climate change. These include confronting rising sea levels, more frequent and severe cyclones, and storm surges which may end up displacing the entire population.

The impacts of climate change on the Tuvaluan society are serious. It permeates almost all aspects of their society including culture, way of life and the full enjoyment of their human rights and dignity.

The Tuvaluans have demonstrated great resilience. Despite the significant challenges they face, they are strongly connected to their society and environment.

## The impact of our work

Tuvalu is the first country in the world to constitutionally entrench the recognition and the perpetuity of its Statehood from climate change impacts. While many climate-change-threatened States recognise the lack of protection of their Statehood in international law and some have undertaken bilateral and regional agreements to maintain recognition of Statehood, Tuvalu has gone a step further to entrench that intent into constitutional law. The proposed amendments elevated the significance of the traditional leaders, by declaring them as “the traditional authority in Tuvalu.” The amendments further obligated that the seat of Governor-General is rotated amongst eight islands.

Tuvalu's action demonstrates leadership that will likely influence other States with their own legal and constitutional reforms. Tuvalu's reforms could ultimately lead to the development of a new international law where States threatened by the impacts of climate change maintain their Statehood.

# The right to challenge



# Greenwashing: Challenging misleading narratives

## Clients

Australian Religious Response to Climate Change (ARRCC)  
Bob Brown Foundation  
Climate Tasmania  
Comms Declare Inc  
Conservation Council of South Australia (CCSA)  
Ekō  
Scott Franks  
Greenpeace Australia Pacific Ltd  
Living Oceans Society  
Lock the Gate Alliance Ltd  
Neighbours of Fish Farming (NOFF)  
Dr Christopher Standen  
Tangaroa Blue Foundation

## Respondents

ALDI Pty Ltd  
Australian Petroleum Producers and Exploration Association Ltd (APPEA)  
Bravus Mining & Resources (formerly Adani Mining Pty Ltd)  
Coles Group Ltd  
Gas Energy Australia (GEA)  
MOO Premium Foods  
NeuRizer Ltd  
NSW Mining  
Santos Ltd  
UniSuper Ltd  
Woodside Energy Group Ltd  
Woolworths Group Ltd

## What we're doing

Greenwashing is false, misleading or deceptive conduct that can lead people to believe companies, their products or services, are more climate-friendly than they really are.

By presenting false or exaggerated claims about their environmental efforts, companies can avoid taking meaningful action to reduce emissions and transition to low-carbon business practices, hindering progress and disadvantaging competitors who are taking steps towards a low-carbon economy.

EDO's lawyers have been working with clients to investigate potential greenwashing and ensure claims made by major companies are backed up by evidence and action. We've also created important resources to help Australians identify greenwashing, and conducted new research investigating greenwashing practices across different sectors of the Australian economy.

In response to the Senate greenwashing Inquiry, EDO called for the introduction of legally enforceable standards on environmental and sustainability claims; the adoption of mandatory disclosure requirements; the urgent review of existing certification trademarks and their use; revision of the Environmental Claims Code, particularly its alignment to Australian consumer law; and the onus of proof be reversed for applications for protective or maximum costs orders by applicants who bring proceedings in the public interest.

EDO also called for greater resources for regulators to investigate and take action against greenwashing. In line with growing demand for action, the ACCC introduced its Making Environmental Claims guide outlining obligations for businesses in December 2023. Ad Standards – through the Australian Association of National Advertisers – has similarly launched its own Environmental Claims Code in October this year.

## Why we're doing this work

Greenwashing is on the rise, undermining our efforts to tackle the climate crisis. Greenwashing erodes public trust in all sustainability-related products and can unfairly divert investment away from true climate solutions, such as renewable energy, keeping finance flowing into harmful coal and gas.

A record number of businesses are making climate pledges in response to the growing public demand for strong climate action from government and industry. While some businesses are making significant strides to decarbonise, others are using deceptive marketing tactics to improve their image and cover up climate-damaging practices.

This work is essential for transparency and accountability in the corporate sector and an effective and timely response to the climate crisis.

## Successful complaint against NSW Mining advertisement

EDO lodged a complaint on behalf of Scott Franks, an Elder of the Plains Clan of the Wonnarua People, against NSW Mining's "Responsible mining" advertising for misleading claims about its mining practices. In February 2024, Ad Standards agreed with our client's concerns when it found the ad to be in breach of the Environmental Claims Code. In response NSW Mining removed the ad from YouTube and adjusted their website information.

## Successful complaint against misleading '100% ocean plastic' labelling

Acting on behalf of The Tangaroa Blue Foundation, EDO filed a complaint with the Australian Competition and Consumer Commission (ACCC) to request they investigate various representations made by several companies in relation to products that state that they are made from '100% ocean plastic' or other similar claims in relation to ocean plastic. Following an ACCC investigation, in November 2023 South Australian yoghurt manufacturer MOO Premium Foods agreed to stop using the term "100% ocean plastics" and entered a court-enforceable undertaking to remove the false or misleading claims from its marketing materials and publish corrections on its website and social media accounts for 60 days.

## Successful complaint about the climate impacts of proposed NeuRizer fertilizer plant

On behalf of South Australia's peak environment body, the Conservation Council of South Australia (CCSA), EDO asked ASIC to investigate whether fossil fuel company NeuRizer had misled or deceived investors and consumers about the climate impacts of its proposed urea fertiliser plant at the mothballed Leigh Creek coal mine. In May 2024, following our client's complaint, NeuRizer wrote to potential investors warning them to disregard entirely claims that the fertiliser it plans to manufacture at Leigh Creek will be "carbon neutral", with "net-zero" carbon emissions.

# Greenwashing complaints

## **Complaint against gas industry peak body advertisement on behalf of Comms Declare and Lock the Gate Alliance**

On behalf of Lock the Gate Alliance and Comms Declare, EDO asked the Australian Competition and Consumer Commission (ACCC) to investigate whether certain Australian Petroleum Producers and Exploration Association (APPEA) advertisements breached the Australian Consumer Law by understating the gas industry's greenhouse gas emissions and exaggerating the importance of gas to the Australian economy and households.

## **Ad Standards complaint against Woodside radio advertisement on behalf of Greenpeace**

Acting on behalf of our client, Greenpeace Australia Pacific, EDO lodged a complaint with Ad Standards against Woodside requesting Ad Standards investigate whether certain statements made by Woodside relating to hydrogen in a radio advertisement were in breach of the Environmental Claims Code adopted by the Australian Association of National Advertisers as part of advertising and marketing self-regulation.

## **Ad Standards complaint against Gas Energy Australia on behalf of Climate Tasmania**

Acting on behalf of Climate Tasmania, EDO lodged a complaint with Ad Standards requesting they investigate whether statements made by Gas Energy Australia (GEA) in an article written in the Hobart Mercury newspaper and republished on its website were misleading or deceptive. Climate Tasmania were concerned that GEA's representations about the environmental impact of Liquefied Petroleum Gas (LPG) were seeking to capitalise on consumer preferences for climate friendly products whilst omitting relevant negative aspects of these products.

## **Ad Standards complaint against Bravus (formerly Adani) on behalf of Australian Religious Response to Climate Change**

Australian Religious Response to Climate Change (ARRCC) is a network of people of all faiths acting for climate justice. Acting on behalf of ARRCC, EDO lodged a complaint with Ad Standards requesting it investigate whether statements made in advertisements by Adani Mining Pty Ltd were in breach of the Environmental Claims Code adopted by the advertising industry peak body, Australian Association of National Advertisers.

## **ACCC complaint against major supermarkets over misleading salmon claims**

Acting on behalf of our clients the Living Oceans Society, Neighbours of Fish Farming, the Bob Brown Foundation and Ekō, EDO lodged a complaint with the Australian Competition and Consumer Commission (ACCC) against Australia's major supermarket chains – Coles, Woolworths and Aldi. Our clients argued that broad, unqualified claims like "Responsibly Sourced" have the potential to mislead consumers about the environmental harms of Tasmanian salmon.

## **ASIC complaint against UniSuper on behalf of Dr Christopher Standen**

On behalf of UniSuper member Dr Christopher Standen, EDO lodged a complaint with the Australian Securities and Investments Commission (ASIC) against UniSuper. UniSuper, one of Australia's largest superannuation funds, stands accused of greenwashing some of its investment products by mislabeling them "sustainable". Two of the funds that UniSuper markets as "sustainable" have significant investments in the Transurban Group, one of the world's largest toll road operators.

## **ACCC and Ad Standards complaint against Santos on behalf of Comms Declare and Lock the Gate Alliance**

Climate communications group Comms Declare and grassroots campaigners Lock the Gate Alliance lodged a complaint to the Australian Competition and Consumer Commission (ACCC) and Ad Standards over a Santos ad placed in a newspaper near its proposed Narrabri gas project. The ad in the Quirindi Advocate claimed, "the Santos Narrabri Gas Project is essential to deliver critical gas supply to the east coast market" and that it was "good for keeping the lights on". The complaint alleged the ad was misleading because the project may not proceed and even if it did, the gas produced would unlikely be used to generate household electricity.

"Not content with trying to buy support by splashing cash on sports and sponsorships in the region, Santos is now pretending its fossil gas development is an essential public service. Its claim ignores the fact that in the past 12 months, NSW used gas for only 2% of its electricity generation, that we already use ten times more renewables for electricity than gas, and that gas use is rapidly declining." Belinda Noble, Comms Declare.

The Quirindi Advocate reaches locals in the Narrabri and surrounding areas. The target audience for the advertisement was the local community including farmers and Traditional Owners in the region, many of whom are opposed to the Santos Narrabri Gas Project.



# Greenwashing through deceptive marketing and false claims – a dangerous form of climate denial

Belinda Noble, founder Comms Declare



As someone working in public relations, I didn't want to be part of an industry that was helping big polluters destroy all I hold dear for me and my children.

Comms Declare was started in recognition that PR, marketing and advertising had an integral role in helping climate polluters deny climate science and delay emissions reductions.

To counter-act this, we ask Comms Declare members to declare that they won't promote the growth of fossil fuels or the continuation of high carbon industries. But that isn't enough, so our Fossil Ad Ban campaign lobbies for coal, oil and gas advertising and sponsorships be banned just like tobacco. This was radical three years ago but now even the United Nations Secretary-General, António Guterres is calling for it!

From my perspective, greenwashing is just plain, old fashioned deception, designed to shield the companies usually doing the exact opposite of their fanciful green claims. There are two main problems with this. Firstly, it distorts the marketplace for consumers and investors who want to do the right thing but can't because of a barrage of false and distorted information. Secondly, it creates a fig leaf of respectability for the most destructive and polluting companies. Greenwashing enables them to keep expanding, to curry favour with politicians, and hoodwink the public with disastrous consequences for our forests, rivers, unique animals and the air we breathe.

EDO has helped me and our partners to make complaints to regulators regarding false and deceptive environmental claims, which I am incredibly grateful for. I had been writing complaints myself but getting some proper legal muscle allowed us to tackle bigger advertisers and expand our reach beyond Ad Standards to the ACCC and ASIC.

With the assistance of EDO we've taken on Glencore, Ampol, Shell and most recently the sponsorship of MasterChef by so-called 'Renewable Gas'. These complaints have revealed how weak the regulation of the advertising industry is and helped us build the case for stronger laws. It's also very satisfying to force some of these big climate polluters to rescind or alter ads that cost them a fortune to produce!

# The world's first proposed deep-sea mine, Solwara-1

**Location**  
Bismarck Sea,  
New Ireland Province  
Papua New Guinea  
(PNG)

**Partner**  
Centre for  
Environmental Law  
and Community  
Rights Inc (CELCOR)

**Opponent**  
PNG government

**Court**  
PNG National Court

**Court of Appeal**  
Supreme Court  
of PNG

We partnered with Papua New Guinea's only not-for-profit public interest law firm, the Centre for Environmental Law and Community Rights Inc (CELCOR), assisting a group of coastal villagers and environmental advocates opposed to a destructive deep-sea mining project.

This group of concerned locals sought to understand how the government had assessed and approved the mining project and requested relevant information from the responsible government agencies — the Conservation and Environment Protection Authority and the Mineral Resources Authority.

When these requests for information were refused, our client launched a legal challenge to enforce their right to access official documents regarding Solwara-1, the world's first proposed deep-sea mine, off the west coast of PNG's New Ireland province.

## Why we're doing this work

Papua New Guinea is the first country to issue a licence for a deep-sea mining project. The environmental, social and economic impacts of deep-sea mining aren't yet known, but many countries have called for an international moratorium until the risks are better understood.

For the coastal communities of New Ireland Province, the ocean provides sustenance and is a critical part of their culture. If the ocean is polluted by deep-sea mining, these people will suffer greatly.

PNG landowners and environmental activists are some of the worst affected in being denied their right to free, prior, and informed consent. Lack of access to official information also has wider implications for the country's state of democracy and governance.

PNG's constitution guarantees a right to information, but there is no statutory mechanism enabling its citizens access to official documents like the *Freedom of Information Act 1982* in Australia. There is also a lack of public awareness of this human right; and the bureaucratic burden and legal costs of pursuing this right further limit access to information.

## The impact of our work

In May 2022, our client's request under s 51 of the PNG constitution was denied by the PNG National Court because the court deemed that the documents requested fell into the exempted categories. s 51 states that '[e]very citizen has the right of reasonable access to official documents, subject only to the need for such secrecy as is reasonably justifiable in a democratic society'.

However, on appeal the Supreme Court overturned the National Court judgment and declared the case 'the first of its kind' to seek a direct interpretation of s 51.

This landmark Supreme Court decision is an important step forward in the collective struggle for improved accountability and transparency in PNG.

2012

PNG government grants Canadian company Nautilus Minerals a licence to operate the world's first deep-sea mine in the Bismarck Sea, New Ireland Province PNG

Coastal villagers and environmental advocates concerned about potentially significant environmental harm request disclosure of information about permits. Requests are denied

2018

EDO partners with PNG's public interest law firm, CELCOR, assisting with a request for access to information, a right guaranteed under the Constitution – s 51, the Right to Freedom of Information. The State refuses to comply with the request

2019

Nautilus Minerals goes into administration, Solwara-1 project is abandoned

PNG Prime Minister announces 10-year moratorium on deep-sea mining at the Pacific Islands Forum

2022

Applicants' initiate court proceedings arguing breach of s 51 of the Constitution

Trial is held in the National Court of PNG. Court dismisses the application in the first instance on the basis that documents requested fall into exempted categories

2023

Applicants appeal to the PNG Supreme Court, on the basis that the primary judge misconstrued both the interpretation and application of s 51 of the PNG constitution. Supreme Court overturns National Court judgment, orders a re-trial

2024

Deep Sea Mining Finance (DSMF), a company registered in the British Virgin Islands, undertakes an operation in and around the Solwara-1 site, accused of breaching their exploration permit by conducting deep-sea mining

CELCOR seeks injunction against any action under the permit

# Court confirms community's right to challenge native forest logging

**Location**  
Bundjalung Country/  
Myrtle and Braemar  
State Forests, NSW

**Client**  
North East Forest  
Alliance Inc (NEFA)

**Opponent**  
Forestry Corporation  
of NSW

**Court**  
NSW Land and  
Environment Court

**Case status**  
Outcome partly  
in favour of client

EDO represented the North East Forest Alliance (NEFA) challenging logging approvals in the Myrtle and Braemar State Forests in NSW. These forests, 80km southwest of Byron Bay, were severely damaged by the ferocious Black Summer Bushfires in 2019-20, which wiped out an estimated 70% of the local koala population. NEFA was concerned logging in the region would particularly impact the recovery of the koala population.

While NEFA wasn't successful in overturning the logging approvals in those State Forests, the Court confirmed for the first time that the *Forestry Act 2012* does not prevent persons with a special interest from taking legal action over forestry operations in NSW, including disputing logging approvals. For over two decades, the state-owned logging agency had asserted that the community cannot seek to challenge its public native forestry operations.

“It’s promising that the case did establish that NEFA have the civil right to enforce NSW’s logging rules, opening a door to litigation we thought had been shut to us since 1998.”

Dailan Pugh, President North East Forest Alliance

## Why we took the case

Protecting our forests is one of the most important things we can do to manage climate change, preserve our precious biodiversity and stop more species going extinct. Yet Forestry Corporation NSW logs around 30,000 hectares of state forest every year.

Under the current laws, threatened species like the koala, greater glider and gang-gang cockatoo that depend on native forests are being driven to extinction. Loss of habitat is a primary driver, and forestry operations destroy valuable refugia.

This case presented an important opportunity to protect koalas, which are now endangered in NSW and federally. It was also an opportunity to challenge the contradictory application of 'ecologically sustainable forest management' by both the NSW government and Forestry Corporation NSW.

## The impact of our work

After some 20 years of resistance by the NSW Forestry Corporation, NEFA's case established that communities with a special interest have the legal right to challenge FCNSW operational decisions, including logging plans and approvals.

This will have far-reaching impacts that extend beyond NEFA's case with other environmental groups potentially benefitting from the ruling. For example, South East Forest Rescue (SEFR) is one such community group who is now seeking enforcement of the law against NSW Forestry Corporation for alleged breaches. The case led by SEFR is the first time in over 20 years that the Forestry Corporation has been brought to court by citizens for failure to comply with native forestry regulations, in particular failure to conduct adequate surveys for greater gliders.

Importantly, NEFA's court case has helped to highlight some of the problems with current NSW forestry laws, which are due for review this year.

2012

Koalas added to national threatened species list as Vulnerable to extinction

2018

NSW Environment & Forestry ministers grant the Coastal Integrated Forestry Operations Approval (CIFOA), the document that regulates forestry along the NSW coastal region

2019

NSW's Braemar and Myrtle State Forests severely damaged during Black Summer bushfires, wiping out ~70% of the koala population

2021

Forestry operations recommence in the South Coast of the CIFOA region

2022

Koala populations of Qld, NSW and ACT uplisted to Endangered

2023

Myrtle State Forest Harvest and Haul Plan approved in May

NEFA file case to challenge approval in NSW Land and Environment Court

NEFA lose case, but court recognises for the first time that communities

with a special interest have the right to challenge decisions of the NSW Forestry Corporation for its native forestry operations

# The right to participate

# Supreme Court win protects democratic freedoms in NSW

**Location**  
NSW

**Clients**  
Dominique Jacobs and Helen Kvelde

**Opponent**  
State of NSW

**Court**  
Supreme Court of NSW

**Case status**  
Outcome in favour of clients

In 2022, following a series of climate protests, the NSW Government passed the *Roads and Crimes Legislation Amendment Bill 2022*, introducing tougher penalties for public protest.

The bill was rushed through parliament in just 30 hours, amidst objections from a huge number of environmental, justice, welfare and human rights organisations, who argued the laws unreasonably curtailed the right to assemble and demonstrate.

For Helen Kvelde and Dominique Jacobs – members of the Knitting Nannas collective, who use peaceful protest and demonstration to urge politicians of all persuasions to protect nature and climate – these laws meant they could be imprisoned for up to two years and/or fined \$22,000 for their activism.

Together, they chose to act and defend their democratic rights.

On behalf of Helen and Dominique, EDO launched a constitutional challenge to section 214A of the *Crimes Act 1900* that criminalised certain conduct in connection with a "major facility" (such as Martin Place Station in Sydney's CBD), on the basis it impermissibly burdens the implied freedom of political communication found in the Australian constitution.

Our clients also asked the court to find the amendments to the *Roads Regulation 2018* that altered the definition of "major bridge, tunnel or road" under section 144G of the *Roads Act 1993* beyond regulation-making power and therefore invalid.

## Why we took the case

In the previous four years alone, Dominique and Helen had endured the traumatic experience of drought, fire and flood in their communities.

Protest became an essential form of political expression to sound the alarm on the devastating impacts of climate change.

To achieve a safe climate, we need a free and fair democracy, where all voices can be heard. History has shown that protest contributes towards achieving better outcomes for nature and our climate. Our freedoms to protest must be protected.

## The impact of our work

Our clients were successful in seeing the harshest parts of the anti-protest laws struck out. The court declared parts of section 214A of the *Crimes Act* invalid, because they infringed on the implied freedom of political communication.

In delivering his reasons, Justice Walton found the new laws placed an unjustified burden on the implied freedom to communicate on governmental and political matters, which is an indispensable incident of the constitutionally prescribed system of government.

Helen and Dominique's significant win in court has protected democratic freedoms for everyone in New South Wales. This comes at a time when the right to protest is being diminished in other states across the country.

“There’s a long, proud history of peaceful protests in Australia, and our democratic freedoms are critical in pushing the government to do the right thing and take climate action seriously.”

Helen Kvelde

## 2022

NSW Parliament rushes through tough new penalties for protesters without public consultation. These new laws could see people fined up to \$22,000

and/or jailed for two years for protesting illegally on public roads, rail lines, tunnels, bridges and industrial estates

EDO launches constitutional challenge to section 214A of the *Crimes Act 1900* amendment which introduced a number of offences relating to "major facilities"

including making it an offence to remain "near" any part of a major facility if doing so "causes persons attempting to use the major facility to be redirected"

## 2023

Case is heard in the Supreme Court of NSW

Court strikes out the harshest parts of the anti-protest laws, declaring parts of section 214A of the *Crimes Act* invalid

# Protecting World Heritage ecosystems from water mining

**Location**  
Bundjalung Country/  
Urliup, Northern NSW

**Client**  
Tweed Water  
Alliance Inc

**Developer**  
Eniflat Pty Ltd

EDO has assisted the Tweed Water Alliance for several years in their fight to protect a UNESCO World Heritage listed rainforest and nearby groundwater-dependent ecosystems in Northern NSW from extraction of groundwater.

In 2003 the Tweed Shire Council granted consent for Eniflat Pty Ltd to harvest and bottle groundwater at Urliup in the Northern Rivers. This consent limited the extraction to five million litres per year.

Eniflat has made several attempts to increase their water take and in 2023 they lodged an application to raise the annual limit to 60 million litres. They argued that this could be done under section 4.55(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) which allows a consent authority to correct a minor error, misdescription or miscalculation.

Our client was concerned about impacts the water mining would have on agriculture and groundwater-dependent ecosystems in the area including Wollumbin (Mt Warning) National Park, Nightcap National Park and Border Ranges National Park, which form part of Australia's unique Gondwana Rainforests.

“Wollumbin Caldera rainforests are groundwater dependent ecosystems. Water miners think they can take what they like without regard for the long-term adverse effects.”

Trevor White, President Tweed Water Alliance

## Why we're doing this work

EDO's National Intake Service provides free legal information, preliminary advice and referrals to individuals and community groups who want to protect the environment.

It is the only service available in Australia where the community can seek free assistance on environmental laws.

It was through our National Intake Service that Tweed Water Alliance raised this water extraction matter with EDO.

In a climate change-impacted world where water is more scarce, our responsibility to protect this precious resource is greater than ever. Our unique ecosystems which support us and sustain wildlife should come before corporations who profit from resource extraction. Farming communities that also depend on healthy waterways should not suffer because of harmful water mining projects.

## The impact of our work

After we wrote to Tweed Shire Council on our client's behalf outlining why the application to modify the development consent could not be lawfully assessed under that provision and should be refused, the Council subsequently refused the application modification. Eniflat's annual extraction limit remains at five million litres per year.

2003

Development consent granted by Tweed Shire Council for Eniflat Pty Ltd to harvest bore water in Urliup on the NSW North Coast

2017

Client rings EDO's National Intake Service to seek advice about an attempt to modify the development consent to increase water extraction for bottling

EDO provides ongoing assistance and strategic advice over a number of years

2023

Application lodged by the operator seeking to remove the 5-million litre limit and to significantly increase the amount of water extracted

2024

EDO provides advice to client in relation to the modification application – arguing that the application could not be lawfully approved under section 4.55(1)

Client writes to Tweed Shire Council outlining the legal advice from EDO, requesting a meeting

EDO writes to Tweed Shire Council on behalf of client confirming that in our view, the modification application could not be lawfully approved and must be refused

Tweed Shire Council Planning Committee refuse the modification application

# Solomon Island communities protecting land from exploitation

## Location

Rural communities in Malaita Province, Isabel Province, Choiseul Province, Temotu Province, Makira Province and Western Province

## Partner

Solomon Islands Environmental Law Association (SIELA)

## What we're doing

EDO has been supporting our partner, the Solomon Islands Environmental Law Association (SIELA), through their Community Legal Awareness project. The aim of the project is to educate local communities on their rights under the *Protected Areas Act 2010*. This Act addresses the lack of a national mechanism capable of protecting land areas from incompatible uses. It allows for the declaration and management of protected areas, or areas where special measures need to be taken to conserve, amongst other things, biological diversity. The Act gives power back to Indigenous communities to protect their land from unscrupulous exploitation.

SIELA created legal education toolkits which are accessible to the public and facilitated training sessions to members of the community. The training sessions and community outreach have been a great success with approximately 90 participants now aware of and educated on their rights under the Act, and how to become involved in decisions about how to use their land.

## Why we're doing this work

The Solomon Islands is an archipelagic state made up of over 990 islands. The main islands are volcanic in origin with dense forests that are home to an estimated 4500 plant species and 173 species of birds, many of which are endemic to the region.

The Solomon Islands and its people are at the forefront of the climate crisis, while their contribution to climate change is negligible. The Islands are heavily impacted by destructive extractive industries such as over-harvesting and unsustainable logging and mining, which are threats to the biodiversity of its pristine forest and marine resources. Residents rely on the sea and land for their livelihood, with much of the population involved in subsistence agriculture.



## The impact of our work

The legal toolkits and training provided by SIELA empower the communities in their pursuit of justice over industries rampant in the destruction of the forests, rivers and seas. This work has significant impacts and will help communities hold government accountable.

Communities face resource and capacity challenges to complete all the steps prescribed in the Act. SIELA's training, supported by EDO, helps the community to better understand the laws and regulations and empowers them to complete the process.

Since training started in the West Are' Are region, the Taka' Taka Eco-Village Conservation Foundation, an incorporated non-profit community-based organisation, has successfully completed the registration and in a significant milestone, they were the first conservation group in the Malaita Province to have a protected area declared.

This means they are saving their forests, their marine life, traditional sacred sites, fresh water, traditional hunting grounds and farming land on their terms - and they now have the power to say no to any development by outsiders that will be detrimental to them.

This achievement is significant not only for the Taka' Taka Eco-Village Conservation Foundation and Malaita Province, but acts as an example and encouragement for all other communities committed to preserving and protecting the natural resources they are connected to and rely on. All the communities that SIELA visited and trained in the *Protected Areas Act 2010* have started the process to declare their land as protected areas. This work with communities has been seen to be incredibly important by the Solomon Islands Government, who has formally recognised SIELA as a key partner for their work under the *Protected Areas Act 2010*.

# Reforming our national nature laws

41	11	76	4
meetings with different MP's and Senator's offices on Nature Positive reforms	briefing notes shared with members of Parliament and movement allies	responses to requests for advice related to the Nature Positive reforms	presentations to the Climate Action Network Australia membership
4	79	6	19
'lock-in' consultations with the Department Reform Taskforce reviewing drafts of legislation and policy	hours in meetings with MPs and Senators on Nature Positive reforms	legal updates published to provide community and allies with up-to-date expert information	amendments proposed to Nature Positive Bills which reflect EDO recommendations

“Our national nature laws are broken. Law reform is urgently needed to stop Australia’s extinction trajectory, address the climate crisis, and protect the places we love.

The Nature Positive reforms are an opportunity to fix our environmental laws for the benefit of nature, the climate, and the community.”

Rachel Walmsley, Deputy Director, Policy & Law Reform, Environmental Defenders Office

2019

Prof Graeme Samuel AC appointed to lead Independent Review of the EPBC Act (Samuel Review)

2020

Interim report released for public comment, identifies that Australia's environment is in an unsustainable state of decline & laws that should protect unique species & habitats are ineffective

2021

Final report publicly released, including 38 recommendations to transform the EPBC Act

2022

Australia's "climate election" sees new federal government promising major overhaul of the EPBC Act

## Why we're doing this work

Australia's national environment law, the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) is broken. It is not fit for purpose and is failing our biodiversity, threatened species and climate.

Under this 24-year-old law, Australia's environment is experiencing the harsh realities of climate change at an alarming pace and intensity, while habitat destruction and land clearing continues apace. Yet climate change doesn't even rate a mention in the EPBC Act, and the laws fail to protect critical habitat. In the two decades since these laws were introduced our environment and climate have suffered.

The Federal Labor Government came to power in 2022, committing to overhaul the EPBC Act. Their Nature Positive Plan committed to setting legally enforceable standards, establishing a new independent environment protection authority (EPA), improving community participation and trust in environmental decision-making, engaging with First Nations communities, and ensuring better understanding of climate impacts.

## The impact of our work

EDO's Policy and Law Reform team, along with EDO subject-matter experts, has been engaging in direct advocacy and expert law reform advice for government, parliament, and environmental stakeholders to make the most of this window of opportunity for reform. Each member of EDO's policy and law reform team is taking the lead on different aspects of the reforms, including nature and threatened species, climate change elements, and community rights.

Amendments to relevant legislation have been tabled, and some passed, that reflect key EDO recommendations.

EDO's engagement in the law reform process helped ensure that biodiversity offsets are excluded from the nature repair market, meaning that projects certified through the market can't be used to justify nature destruction elsewhere.

Our advocacy has helped to expand the 'water trigger' under the EPBC Act so that it covers all forms of unconventional gas – which means that water impacts of fracking will be assessed at the federal level.

EDO's work to improve the EPBC Act has helped to stop proposed exemptions from national environmental law for offshore oil and gas approvals.

EDO's presence in the Federal Parliament has grown significantly. We've worked to build awareness of and opportunities for environmental and climate law reform at the national level and built relationships across Parliament as a trusted legal advisor and are often the 'go to' when it comes to environmental legislation.

2023

Government releases *The Nature Positive Plan: better for the environment, better for business* responding to the Samuel Review

EDO attends Departmental closed consultation processes to provide feedback on draft legislation

Legislation is passed to expand the assessment of water impacts of unconventional gas projects and to establish a Nature Repair market.

2024

A considerable number of environmental reforms promised under the *Nature Positive Plan* not yet delivered, key amongst these is the promised overhaul of the EPBC Act



# Working with the environment sector

The Environmental Defenders Office is the organisation that the environment movement turns to when they need legal intervention. We support a wide network, with a solid foundation of relationships built over the past 39 years. EDO works for and alongside communities in local and regional areas. We have also worked with most major environmental organisations in the region, as well as globally, through fighting court cases, providing strategic legal advice, producing reports, and conducting research. Together we harness the power of the law to safeguard our environment and climate.

## Hunter Environment Lobby Inc (HEL)

**Location** Wonnarua Country/Upper Hunter Valley, NSW

**Opponent** Hunter Valley Operations Pty Ltd (HVO)

**Court** Federal Court

**Case status** Proposal withdrawn

**Lifetime emissions** 1160 Mt

The Hunter Environment Lobby (HEL) sought legal action to overturn a federal government decision that a Yancoal and Glencore joint venture plan be allowed to move to the next stage in the federal environmental approval process, which would have extended the life of two adjacent mines in the Upper Hunter by up to 25 years to 2045 and 2050.

Before HEL's case could be heard by the Federal Court, HVO announced it was withdrawing the application and submitting an amended plan. Consequently, HEL's legal action is discontinued.

A technical report by Prof Michael Bode appended to one submission forecast the project's emissions would destroy 1000 hectares of reef. "The science tells us that coral reefs are particularly sensitive to climate change, so every tonne of carbon released into the atmosphere by projects like HVO chips away at the reef." Jan Davis, Hunter Environment Lobby

## Environmental Advocacy in Central Queensland Inc (EnvA-CQ)

**Location** Barada Barna Country/Bowen Basin, QLD

**Opponent** Blue Energy Ltd

**Court** Queensland Land Court

**Case status** Hearing expected early 2025

Blue Energy plans to install up to 530 gas wells across more than 1000ha bushland that includes prime habitat for koalas and other threatened species on Western Kangoulu and Barada Barna Country in Central QLD.

The company plans to drill down almost 1.2km, penetrating and potentially contaminating or draining freshwater aquifers. Blue Energy also plans to install about 700km of roads and pipelines that would fragment bushland and degrade wildlife habitat. If operated for 20 years, as is proposed, the project it would emit 5Mt of CO2 equivalent, more than that emitted by a million cars over 12 months.

Environmental Advocacy in Central Queensland (EnvA-CQ) has launched legal action in the Land Court to overturn the Queensland Government's approval.

## Oakey Coal Action Alliance Inc (OCCA)

**Location** Western Wakka Wakka, Barunggam Country/Darling Downs, QLD

**Opponent** New Hope Group TA New Acland Coal Pty Ltd (NAC)

**Court** Queensland Land Court

**Case status** Case filed 15/5/23. Hearing date yet to be set

The Oakey Coal Action Alliance (OCCA) is challenging the QLD Government's decision to grant New Acland Coal an associated water licence. The Alliance has also sought an undertaking from the company that it will not exercise its entitlement under the associated water licence to take or interfere with groundwater until the challenge is decided. This is to prevent New Acland Coal from carrying out any operations, including the mining of coal, that could result in the taking or interference with groundwater, and to ensure no impacts to groundwater occur from those operations prior to the challenge being decided.

If New Acland Coal does not provide this undertaking, OCCA will consider bringing an application for a stay to prevent the company from acting on the associated water licence.

"The irreplaceable groundwater that sustains the Darling Downs agricultural region must be protected at all costs. The Queensland Palaszczuk Government treated these farmers and the water they rely on with contempt when it granted the associated water licence to New Acland, so we are stepping in where the government has failed. We are seeking to ensure that the impacts to precious groundwater posed by stage 3 are finally properly assessed." Paul King, OCCA Secretary

## Arid Lands Environment Centre Inc (ALEC)

**Location** Lands of the Alyawarr & Kaytetye people/Barkly region, western Georgina Basin. 220 km south-east of Tennant Creek, 270 km north-east of Alice Springs, and 20km north of the community of Ampilatwatja, NT

**Status** Application withdrawn

EDO was engaged by the Arid Lands Environment Centre (ALEC) to review proposed variations to the Ammaroo Ammonium Phosphate Fertiliser Project, to enable a submission to the NT Environment Protection Authority (EPA) during the public consultation phase.

The facility already operates as an open cut mine involved in the production of phosphate rock concentrate for export to international markets. The proposed variation was a substantial change of project proposal, with mine owners Verdant Minerals shifting to a major chemical industry facility that would have produced ammonium phosphate fertiliser with an array of potential environmental impacts.

EDO's science team produced a detailed review and concluded that the Ammaroo Ammonium Phosphate Fertiliser Project would have major environmental consequences for the region, with impacts on greenhouse gas emissions, air quality pollution, and an increase in groundwater pollution and groundwater withdrawals.

The EPA determined that a tier 3 impact assessment was needed, meaning a full Environmental Impact Statement would need to be conducted with further public consultation. In April 2024 Verdant Minerals withdrew their application from the environmental assessment process meaning they will not proceed with downstream processing of ammonium phosphate.

In ALEC's submission, it was noted that during construction, land clearance of native vegetation would be the main contributor to greenhouse gas (GHG) emissions of 384,450 t CO2-e. Operational Scope 1 GHG emissions are estimated at 491,500 t CO2-e p.a. This variation would have placed the Project among the top 75 corporate emitters in Australia from the National Greenhouse and Energy Reporting (NGER) scheme.

## Australasian Centre for Corporate Responsibility (ACCR)

**Opponent** Santos Ltd

**Court** Federal Court of Australia

**Case status** Hearing scheduled for October 2024

Our client, the Australasian Centre for Corporate Responsibility (ACCR) alleges that Santos has breached the *Corporations Act 2001* (Cth) and the Australian Consumer Law by engaging in misleading or deceptive conduct relating to its "clean energy" claims and its Net Zero plan in its 2020 Annual Report.

This is the first court case filed in the world challenging the veracity of a company's net zero emissions target, and raises important questions about the role of carbon capture and storage (CCS) and blue hydrogen in the transition to zero emissions.

In 2019-20 alone, the year of Australia's Black Summer Bushfires, Santos was responsible for around 36.3 million tonnes of CO2 equivalent emissions, making them one of the largest greenhouse gas emitters in Australia. Despite this, Santos describes itself as a "clean energy" provider in its 2020 Annual Report, stating that natural gas is a "clean fuel".

Our client, ACCR, is a shareholder advocacy organisation focused on how listed companies, industry associations, and investors are managing climate, labour, human rights and governance issues. They are also investors in Santos, taking this action to ensure the company and others like it fulfil their legal responsibility to be transparent and open with shareholders like ACCR. Companies have an obligation to be upfront and honest with investors – this is particularly important to investors who are trying to assess which companies will survive and thrive in a rapidly changing global energy economy. Misleading information can have a dramatic effect on the market, on investors, and ultimately on the environment.

## Youth Verdict Ltd The Bimblebox Alliance Inc

**Location** QLD

On 15 May 2024 the Queensland Department of Environment, Science and Innovation released the Greenhouse Gas emission Guideline, which enshrines many of the Court's findings in the 2022 Waratah Coal decision in which EDO represented our clients Youth Verdict and The Bimblebox Alliance. This case saw EDO's clients win an historic legal challenge against Clive Palmer's Galilee Coal Project, a massive new fossil fuel project. The case was argued on human rights, climate and nature grounds.

The QLD Greenhouse Gas emission Guideline specifically includes clarifying that scope 3 emissions are to be considered and assessed against the Paris Agreement for mining, and the Human Rights Act being applicable with respect to assessing the impacts to human rights of climate impacts.

## Worldwide Fund for Nature (WWF-Australia)

**Locations** QLD, NSW, VIC

In the aftermath of the devastating 2019-20 fires, the Environmental Defenders Office and the World Wide Fund for Nature (WWF-Australia) launched an ambitious project to help areas of remaining, unburnt land recover.

*Defending the Unburnt* set out to protect six priority landscapes across QLD, NSW and VIC. These areas included intact habitat which are vital refuges for threatened plants, animals, and ecological communities – ecosystems that are important for impacted landscape recovery.

Through this 3-year project EDO sought to use existing legal mechanisms to protect these priority, unburnt areas. We found that existing legal provisions were woefully underused and ineffective in delivering responsive, robust protection for habitat that will be critical to species survival. Following examination of these issues we identified five key principles that must underpin reform of critical habitat provisions:

1. Clearly define critical habitat
2. Make critical habitat identification mandatory
3. Protect and manage critical habitat
4. Support landholders
5. Ensure consistency between jurisdictions

The final year of the project looked at one specific legal mechanism for biodiversity conservation – critical habitat provisions in Australian law – examining why these legal provisions are not working and what is needed to ensure that the protection and management of critical habitat becomes a key element of biodiversity conservation efforts in Australia.

## Places You Love Alliance

EDO provides pro bono legal advice to the Places You Love Alliance, a national alliance of over 80 environmental organisations championing the need for better national environmental protections, including through the reform of Australia's national environmental law, the *Environment Protection and Biodiversity Conservation Act* (EPBC) 1999.



**Board**

**Chair**

**Brent Wallace FAICD**

BA Commerce (Marketing), Monash University  
 Executive Director, Founder and Partner, Fiftyfive5 (Part of Accenture Song)  
 Former Non-Executive Board Director and Chair Blackmores Ltd  
 Former Board Director and current Governor Worldwide Fund for Nature (WWF Australia)  
 Former Managing Director Ogilvy & Mather Australia  
 Appointed 21/05/2020  
 Appointed Chair 20/06/2024

**Deputy Chair**

**Dr Kate Galloway**

PhD, University of Melbourne  
 LL.M Queensland University of Technology  
 LL.B & BA Economics, University of Queensland  
 Admitted as a solicitor of the Supreme Court of Queensland, High Court of Australia  
 Professor of Law  
 Appointed 07/06/2019

**Phil Vernon**

Director Futurity Investment Group  
 Director Stroke Foundation  
 Director B Lab Australia & New Zealand  
 Former Managing Director Australian Ethical Investment  
 Fellow, Australian Institute of Company Directors  
 Fellow, Chartered Accountants, ANZ  
 Appointed 06/09/2019

**Dr Rachel Eberhard**

PhD Environmental Governance, Queensland University of Technology  
 MA Philanthropy and Not for Profit, Queensland University of Technology  
 MA Natural Resources, University of New England  
 BA Agricultural Science, University of Tasmania  
 Former Chair EDO QLD  
 Former Chair Reef Check Australia  
 Director Eberhard Consulting  
 Adjunct Associate Professor, Queensland University of Technology  
 Appointed 17/12/2020

**Prof Emerita Dr Lesley Hughes**

PhD Ecology, Macquarie University  
 Member Climate Change Authority  
 Member Wentworth Group of Concerned Scientists  
 Councillor and Director Climate Council of Australia  
 Councillor Biodiversity Council  
 Appointed 24/11/2022

**Deborah Nesbitt**

MA International Law, Australian National University  
 Former EDO ACT Deputy Chair and Public Officer  
 Founding Member Australian Asia-Pacific Media Initiative  
 Former Australian Correspondent, Bloomberg Law/Environment  
 Former Editor Thomson Reuters, Environmental Manager & Carbon Extra news services  
 Former Exec Producer/broadcaster ABC Parliamentary Bureau, RN, RA, Triple J, ACT and NT news  
 Appointed 24/11/2022

**Scott Franks**

CEO Yarrowalk Pty Ltd  
 CEO Yamari Ochre Signs  
 CEO Tocomwall  
 Firefighter, NSW Rural Fire Service  
 Former Chairperson, Wonnarua Local Aboriginal Lands Council  
 Appointed 20/12/2022

**Sarah Southwell**

MA Commerce, University of Wollongong  
 General Manager Human Resources, GrainCorp  
 Appointed 02/02/2023

**Ganur Maynard**

BA (History, Hons) & LLB (Hons), University of New South Wales  
 Lawyer, North Australian Aboriginal Justice Agency  
 Former Associate, Federal Court of Australia  
 Former Lawyer, Herbert Smith Freehills  
 Kamilaroi man  
 Appointed 23/11/2023

**Talei Richards**

BA Social Science & International Studies, University of Technology Sydney  
 LLB, Macquarie University  
 Director Community Development, the Scanlon Foundation  
 Former Portfolio Manager – Fiji, International Women's Development Agency  
 Former Deputy Associate, Federal Circuit Court of Australia  
 Fijian/i-Taukei woman  
 Appointed 23/11/2023

**Dr Bronwyn Darlington**

Retired 20/06/2024

**The Hon. Michael Barker KC**

Retired 11/10/2023

**First Nations Advisory Group**

**Scott Franks**

Wonnarua (NSW)

**Conrad Bilney**

Kokotha and Southern Pitjantjatjarra (SA and central Australia)

**Jayne Christian**

Burrattagal, Dharug (NSW)

**Harold Ludwick**

Guugun Yimidhurr and Kuku Yalabnji – Bulgun Warra (FNQ)

**Waniki Maluwapi**

Malu Kiwai, Boigu Island, Zenadh Kes (Torres Strait Islands) and Papuan

**Valda Napurrula Shannon**

Retired 19/09/23

## Staff

### Office of the CEO

David Morris CEO

Jo Anne Bragg AO General Counsel

Tracy Stubbs Executive Assistant  
& Board Secretariat

### Finance & Operations

Alex Ariti IT Officer

Maria Bautista Finance Administrator

Bronwyn Bell\* National  
Operations Coordinator

Andre Breitenstein\* Grant  
Administration Lead

Catheryn Cheetham National  
Operations Coordinator

Eamon Fraser-Crooks  
Senior IT Manager

Prabashini Gurunathen\*  
Finance Manager

Nici McCann Head of People & Culture

Heather McGiddy Legal Process Lead

William Moore\* Senior Finance Officer

Premala Myooran Finance Manager

Bao Ngo Finance Administrator

Blake Powell Director,  
Finance & Operations

Sabahat Saifurrehman  
People & Culture Officer

Shovita Sharma  
Finance & Payroll Administrator

Toni Simons Financial Controller

Aleena Yunus\* People & Culture Officer

### Fundraising, Marketing & Communications

Vanessa Bartholomew  
Marketing & Media Specialist

Jacki Boyce Senior Regular Giving  
& Digital Engagement Specialist

Lucy Fahey Content Specialist

Emma Franklin\*  
Senior Philanthropy Specialist

Sylvie Huot Supporter Care  
& CRM Administrator

Annemarie Kohn Head of Philanthropy

Aaron Lamb Director Fundraising,  
Marketing & Communications

Mia Lumb Philanthropy &  
Bequests Specialist

Mhairi McClymont  
Head of Marketing & Media

Ingrid Neilson  
Senior Philanthropy Specialist

Isabelle Tawil Philanthropy  
Supporter Specialist

James Tremain Senior Marketing  
& Media Specialist

Tom Trumble Data & Insights  
Senior Manager

Jessica Xavier Content Specialist

### Science & Expert Advisory

Dr Edward Butler\* Scientific Officer

Dr Sharyn Goldstien Director Science  
& Expert Advisory

Dr Ropafadzo Kelebhule Moyo  
Scientific Officer

Dr Krystyna Saunders Scientific Officer

Dr Margaret Shanafield  
Scientific Officer

Charlotte Stalvies Scientific Officer

### First Nations Program

Casey Kickett Director First  
Nations Program

Troy Leishman Administrator

Mollie O'Connor Solicitor

Teela Reid\* Special Counsel

### Systematic Change Program

Elise Broadfoot-Mills\* Solicitor

Jemilah Hallinan  
Head of Legal Education

Elaine Johnson\* Director Legal Strategy

Frances Medlock Solicitor

Mandy Pritchard\* Executive Assistant

Belinda Rayment Special Counsel

Kate Vitnell\* Solicitor

Rachel Walmsley  
Head of Policy & Law Reform

### Nature – Biodiversity

Kimberley Hutchinson Senior Solicitor

Andrew Kwan Managing Lawyer

Margaret Lamb\* Senior Solicitor

Cerin Loane Special Counsel

Christina Meyers Legal Administrator

### Nature – Freshwater

Huw Calford\* Senior Solicitor

Khushboo Dhiman\* Legal Administrator

Emily Long Special Counsel

Nadja Zimmermann Senior Solicitor

### Defending the Defenders

Alexander Edye\* Solicitor

Olivia Freeman\* Senior Solicitor

Julia Grix\* Managing Lawyer

Marina Sheanoda\* Solicitor

Amelia Smillie Paralegal

Sarah Vanderfield\* Paralegal

### Pasifik Program

Dr Bal Kama Special Counsel

Melanie Montalban Special Counsel

Watna Mori\* Senior Solicitor

Rohan Nanthakumar\* Special Counsel

Fleur Ramsay\* Head of Litigation  
& Climate Lead

Freda Kanek Talao\*  
Head of Pasifik Program

### Safe Climate – Coal & Human Rights

Grace Bramwell\* Solicitor

Briana Collins Solicitor

Jayme Cooper Solicitor

Ahmed Faisal Legal Administrator

Grace Huang Solicitor

Anita O'Hart Senior Solicitor

Joshua Paveley Senior Solicitor

Thomas Robson Graduate Solicitor

### Safe Climate – Corporate & Commercial

Selma Burek-Celejewska\*  
Legal Administrator

Zoe Bush\* Senior Solicitor

Asha Keaney Senior Solicitor

Tracey Lynch Senior Solicitor

Amanda Peng Graduate Solicitor

Kirsty Ruddock Managing Lawyer

Clare Saunders Solicitor

### Safe Climate – Gas

Emma Buckley Lennox\* Solicitor

Rufus Coffield-Feith Senior Solicitor

Brendan Dobbie Managing Lawyer

Katherine Evans Solicitor

Ruby Hamilton Solicitor

Clare Lakewood\* Special Counsel

Alina Leikin\* Special Counsel

Natasha Maugueret Special Counsel

Jordina Rust Special Counsel

Emma Sestito\* Senior Solicitor

Talia Slonim Solicitor

Maria Wilson Legal Administrator

### Healthy Environment & Justice

Nicole Sommer Director Healthy  
Environment & Justice

### National Intake Program

Justine Emerson Coordinator

Joanna Maier Graduate Solicitor

### Australian Capital Territory

Frances Bradshaw\* Senior Solicitor

Isobel Brinin Senior Solicitor

### North Queensland

Naim Santoso-Miller Solicitor

Marie Short Legal Administrator

Kirstiana Ward Managing Lawyer

Lillian White Paralegal

### Northern Territory

Natalie Czapski Solicitor

Elanor Fenge Managing Lawyer

Kerry Keightley Legal Administrator

### New South Wales

Rebekah Ackerman  
Legal Administrator

Jasper Brown Solicitor

Rachael Chick Senior Solicitor

Rana Koroglu Managing Lawyer

Natalie Vella Special Counsel

### South Australia

Gabrielle Bond\* Legal Administrator

### Southern & Central Queensland

Karen Cutler Legal Administrator

Dylan Orsborn\* Special Counsel

Maeve Parker Solicitor

Revel Pointon Managing Lawyer

### Tasmania

Claire Bookless Managing Lawyer

Akanksha Falor Legal Administrator

James Johnson Special Counsel

Jared Sharp\* Senior Solicitor

### Western Australia

Jessica Border Solicitor

Liam Carmody Legal Administrator

Tim Macknay\* Managing Lawyer

### Recognition, awards and achievements

Alongside Mardathoonera women Raelene Cooper and Josie Alec, EDO won the *Visibility - Courageous acts* award at the 2023 WA Climate Awards.

EDO was recognised in the Best Law Firms Australia awards in three categories - Climate Change Law, Water Law and Planning and Environmental Law.

Rachel Walmsley, Head of Policy & Law Reform, was recognised by Best Lawyers Australia as the *Sydney Lawyer of the Year in Climate Change Law*.

Liam Carmody, Legal Administrator, Healthy Environment & Justice, was the winner of the Piddington Society 2023 John Chaney Award.

CEO David Morris was included in The Australian's *The List 100 Green Power Players 2024*.



### Sarah Flynne Memorial Scholarship

The Sarah Flynne Memorial Scholarship honours the life and work of former EDO lawyer, Sarah Flynne. It is a joint initiative between EDO and the Flynne family, with support from the Australian Environment and Planning Law Group of the Law Council of Australia.

The scholarship is open to any law graduate under the age of 25 from a regional or remote part of Australia. Its purpose is to allow for travel and accommodation while undertaking Practical Legal Training with EDO in one of our offices.

In 2023 the inaugural scholarship was awarded to Kashmir Miller, and in 2024 the scholarship was awarded to Victoria Vega Garcia.

### Workplace Gender Equality

The Environmental Defenders Office recognises the importance of supporting diversity within our workforce, including with regard to gender. In accordance with the requirements of the *Workplace Gender Equality Act 2012*, EDO has lodged its 2023/24 Public Report with the Workplace Gender Equality Agency (WGEA).

During 2023/24 women represented 58% of the EDO Board, and 79% of the staff.



### Mental Health First Aid Skilled Workplace

The Environmental Defenders Office is recognised as a Mental Health First Aid Skilled Workplace through Mental Health First Aid Australia, acknowledging EDO's achievements in developing mental health first aid skills in our people and embedding a sustainable and effective mental health program.

\*Denotes former staff

## Counsel

Nora Abdulla	Tessa Herrmann	Shawn Rajanayagam
Angel Aleksov	Laura Hilly	Aditi Rao
Maragret Allars SC	Samuel Hoare	Laura Schuijers
Sarah Andrews	Adam Hochroth	Mark Seymour SC
Fiona Batten	Emma Hoiberg	Zaina Shahnawaz
Richard Beasley SC	James Houston SC	Kunal Sharma
Kate Bones	David Hume	Naomi Sharp SC
Nick Boyd-Caine	Noel Hutley SC	Matt Sherman
Matthew Brady KC	Oliver Jones	Lauren Sims
Zarah Burgess	David Keane KC	James Stoller
Kelly Butler	Georgia Kiss	Jane Taylor
Kay Chan	Louise Kruger	Matthias Thompson
Patrick Coleridge	Clare Langford	Roger Traves SC
Lisa de Ferrari SC	John Lawrence SC	Daniel Tynan
Georgia Dobbyn	Jason Lazarus SC	Bret Walker SC
Hannah Douglas	Craig Lenehan SC	Julia Wang
Emma Dunlop	Jackson Liskia	Rupert Watters
Nick Eastman SC	Verity Long-Droppert	Jackson Wherrett
Henry El-Haje SC	Erasmus Lovell Jones	Rob White
James Emmett SC	Andrew Mason	Denika Whitehouse
Jerome Entwisle	Zoe Maud SC	Peter Willis SC
Kathleen Foley SC	Kasey McAuliffe-Lake	Genevieve Yates
Juliet Forsyth SC	Rebecca McEwen	Chris Young KC
Neal Funnell	Dr Chris McGrath	
Bianca Galifuocco	Chris Mofflin	
Gibson Geroro	Kate Morgan SC	
Michael Hall SC	Rutendo Muchinguri	
Natasha Hammond	Emrys Nekvapil SC	
The Hon Claire Harris SC	Judy O'Brien	
Parisa Hart	Erin O'Connor Jardine	
Sebastian Hartford Davis	Kateena O'Gorman SC	
Jim Hartley	Andrew Pickles SC	
	Tim Poisel	
	Matthew Pudovskis	

## Independent experts

Dr Nerilie Abram	Ned Hamer	Mike Olsen
Dr Kita Ashman	Dr Paul Harvey	Steven Pells
Dr Sabina Assan	Kevin Hayley	Dr Stephen Phillips
Dr Hilary Bambrick	Prof Pierre Horwitz	Prof Andrew Pitman
Assoc Prof Fiona Beck	Prof Robert Howarth	Prof John Quiggin
Prof Nathan Bindoff	Prof Terry Hughes	Dr Kathryn Reardon-Smith
Prof Michael Bode	Prof Charlie Huveneers	Dr April Reaside
Ross Brodie	Narelle Irvine	Dr Amanda Reichelt-Brushett
Tim Buckley	Prof Sue Jackson	Dr Saphira Rekker
Geoff Byrne	Dr David Kampmann	Bruce Robertson
Dr Ian Campbell	Prof David Karoly	Prof John Rolfe
Rod Campbell	Prof Bryce Kelly	Phil Runham
Prof Ian Cartwright	Dr Megan Kessler	Dr Ian Rutherford
Dr Ali Chauvenet	Dr Richard Kingsford	Dr Sam Rycken
Prof John Church	Prof Tom Kompas	Prof Penny Sackett
Assoc Prof Tim Cohen	Robert Kooyman	Prof Robyn Schofield
Tony Coleman	Rosiana Lagi	David Shearman
Dr Alan Collins	Gareth Lewis	Philip Spark
Dr Matthew Crowther	Prof Janette Lindesay	Dr Brett Stevenson
Prof Matthew Currell	Assoc Prof Mark Lintermans	Dr Sven Teske
Peter Dart	Dr John Luick	Dr Paul Tregoning
Prof Jenny Davis	Prof Brendan Mackey	Adjunct Prof Steve Turton
Dr Jon Day	Dr Martine Maron	Sharon Veale
Stephen Debus	Paul Martin	Assoc Prof Willem Vervoort
Dr Martin Denny	Dr Simone Maynard	Dr Ryan Vogwill
Dr Kate Dooley	Adjunct Prof Kevin McCue	Grant Wardell-Johnson
Dr Steven Douglas	Dr Cherie McCullough	Tony Weber
Dr Karen Edyvane	Prof Jan McDonald	Dr Nick Whiterod
Robert Ellis	Neil McIntyre	Rachel Wilson
Dr Hugh Forehead	Prof Malte Meinshausen	Dr Ian Wright
Prof Alex Gardner	Dr Katarina Mikac	Chris Wright
Mark Graham	Dr Brett Miller	Dr Philip Zylstra
Timothy Grant	Simon Nicholas	
Dr Romy Greiner	Dr Zebedee Nicholls	
Chris Grounds	Prof Patrick Nunn	

## Volunteers

### Women Leading & Influencing (WLI) Volunteer Placements

Suzanna Gavara-Nanu  
Renata Gorisha Yayabu

Michelle Gatty  
Kathrin Germanos  
Nicholas Gibson  
Penelope Hallam

### Practical Legal Training (PLT) Placements

Jim Bartlett  
Emma Bennet  
Ruth Arotaing Garry  
Isabella Gray  
Adelaide Grisard  
Louise Hall  
Kevin Hill  
Jesse Hyden  
Kevin Liu  
Hugo Meagher  
Kashmir Miller  
Michael Seeff  
Lara Shirley  
Ruth Thomas  
Alexandra Valerio  
Victoria Vega Garcia  
Lillian White  
Chi Zhang

Megan Ho  
Carrie Kan  
Fenna Kroon  
Jinny Li  
Zoe Lobb  
Oscar Luke  
Hayley Lye  
Jia Meng Mi  
Preeti Nadan  
Evdokia Papastamouli  
Elle Park  
Radhika Peddibhotla  
Brianna Perera  
Amy Porter  
Hannah Price  
Sofia Psarros  
Xinmin Pu  
Rowan Purcell  
Rachel Simmonds  
Julia Spicer  
Claire Steinemann

### Legal Student Clinical Volunteer Placements

Amy Anderson  
Lauren Atkinson  
Mai-Lan Chautard  
Annabelle Cleary  
Oliver Close  
Liam Cochrane  
Dania Danny Iswandy  
Byron Dexter  
Maggie Dorey  
Brendan Fitzgerald  
Christian Flynn

Jessica Swann  
Beverley Taylor  
Stella White  
E Wen Wong

### Legal Student or Graduate Volunteers

Alex Battese  
Rasika Baig  
Zoe Bellos  
AJ Bond  
Myles Bowes-Mckee  
Paris Brotherton

Alfred Brownell  
Bram Burger  
Patrick Cenita  
Liam Cochrane  
Cailaen Coe  
Maya Cook  
Aislinn D'Arcy  
Miranda Deal  
Harrison Emery  
Oshana Fernando  
Luke Gelder  
Joshua Glass  
Sophie Gray  
Bianca Greeve  
Alexander Hall  
Echo Hunter Demecs  
Amelia Kamp  
Steneth Kaniki  
Ena Kennedy Yoshitani  
Isabella Knowles  
Mengting Lin  
Sophie Little  
Gabriella Maher  
Hugo Meagher  
Diana Oakes  
Jacqueline Peiser-Oliver  
Gabrielle Perkins  
Lydia Priestley  
Graeme Reid  
Angus Robertson  
Michael Seeff  
Shania Singh  
Sam Stoljar  
Aziza Sultana  
Larissa Tan  
Julia Tyszkiewicz  
Kate Weir

Ellena Welke  
Ella Whitehurst  
Hannah Wilcock  
E Wen Wong  
Rachel Yang

### Legal Volunteers

Sylvia Capra  
Kate Cockburn  
Andrew Collins  
Maximilien Derode  
Andrew Dunn  
Megan Dyson  
Odaria Finemore  
Judith Geary  
Timothy Jones  
Tazwar Khan  
Megan Kirk  
Joseph Lavelle Wilson  
Timothy Lawson  
James Mackay  
Samuel Mather  
Kenny Ng  
Michal Orzeg-Wydra  
Melisa Quinn  
Peter Rowell  
Anna Simpson  
Verity Smith  
Katie Williams

### Volunteers

Dr Edward Butler  
Kaia Cox  
Priyamvada Jagadeeshan  
Kate Johnston  
Thorida Kim  
Cherine Litster

## Thank you

Yolarnie Amepou, Piku Biodiversity Network  
Vicky Amoko, Centre for Environmental Law & Community Rights (CELCOR)  
Jimmy Atkinson, Marrickville Legal Centre  
Peter Bosip, Centre for Environmental Law & Community Rights (CELCOR)  
Nadia Bromley, Women's Legal Service QLD  
Nessa Darcy, Women's Legal Service QLD  
Beverly Esau Ngweta, Vanuatu Environmental Law Association (VELA)  
Aina Grodahl, Rainforest Foundation Norway  
Warime Gutu, Evangelical Lutheran Church of PNG  
Shona Hawkes, Jubilee Australia  
Emily Johnson, Jubilee Australia  
Evelyn Katu, Centre for Environmental Law & Community Rights (CELCOR)  
Jotham Keleino, Evangelical Lutheran Church of PNG  
Meghan Kemp, Marrickville Legal Centre  
David Lawson, Pacific Collective  
Vasili Maroulis, Marrickville Legal Centre  
Litiana Mataitoga, Fiji Environmental Law Association (FELA)  
Seno Mauli, Solomon Islands Environmental Law Association (SIELA)  
Luke Mitchell, Jubilee Australia  
Kelly Moore, Women's Legal Service QLD  
Emmanuel Peni, Project Sepik  
Fyfe Strachan, Jubilee Australia  
Albert Taufa, Vanuatu Environmental Law Association (VELA)  
John Ules, Centre for Environmental Law & Community Rights (CELCOR)  
Kiji Vukikomoala, Fiji Environmental Law Association (FELA)  
First Dog on the Moon

### With thanks to the artists who's photos you see in this report

Yolarnie Amepou: p59  
Alec Brennan: p9  
Lewis Burnett: p39  
Daniel Clarke: p43, 64  
Sia Duff: p27, 51  
Doug Gimesy: p37  
Benjamin Maze: front cover  
Brooke Pyke: p33  
Wanagi Zable-Andrews: p5, 21, 23, 35, 55, 75  
Back cover: © Penguin Random House

The Environmental Defenders Office thanks the following people and foundations for their enduring commitment to our financial sustainability. We also extend our profound thanks for their friendship, trust and support.

**Donors \$5,000+**

In memory of Ann Taket  
 In memory of John Ernest Street  
 Dean Apostolou  
 Award Force  
 Monique Bond  
 The Hon Michael Barker KC  
 Mark Bravington  
 Emerita Prof Chilla Bulbeck  
 Jane & Stan Cajdler  
 Therese Cochrane  
 Phillip Cornwell  
 Justine Emerson  
 Janet Fairlie-Cuninghame  
 Christine & Andrew Galbraith  
 Dr Esther Gallant  
 Julie Gilfillan  
 Claudia Graham  
 Chris & Gina Grubb  
 Frances Harper  
 Mark Harris & Lakshmi Kerr  
 Bryan Havenhand & Anna Kaemmerling  
 Libby Hepburn  
 Colin & Barbara Hindmarsh  
 Phyllis Hodge  
 Dr Elisabeth Hodson  
 Fiona Hollier & Phillip Hart  
 Peter Hudson OAM  
 Pam & Ray Ison  
 Dr Megan Kearney  
 Roderick Kidd  
 Dr Karl Kruszelnicki AM & Dr Mary Dobbie

**Donors \$1,000 - \$4,999**

Caroline Le Couteur  
 Dr Geoffrey & Dr Ann Long  
 Amanda Lopez & Peter Crick  
 Jocelyn Luck  
 Prof Louise Maple-Brown & Simon Niblock  
 Claude & Helene Marmoux  
 Judy McLennan  
 Ross McMillan  
 Midnight Oil  
 Andrew & Kim Morgan  
 Vicki Olsson  
 Nancy & Robert Pallin  
 Nancy Price  
 Annette Reynolds  
 Carolyn Ridge & Philip Bragg  
 David Robb  
 Linda Selvey  
 Rebecca Shaw  
 Kathleen Shurcliff  
 Dr Joan Staples & Barry Crisp  
 Lyndal Sullivan  
 Dr Elizabeth & David Teather  
 Bill & Jane Thompson  
 Dr Michael & Margaret Williams  
 The Hon Alan Wilson KC & Lyndie Wilson  
 Tim Winton AO & Denise Fitch  
 Josette Wunder

Barbara Adams  
 Susan Ainge  
 Rousseau Anai  
 Animal Happiness Manning & Mobile Vet  
 Dr Ben Appleton  
 Jonathan Banks  
 Dr Scott Bell  
 Bellingen Environment Centre  
 Gabrielle Blackwell  
 Rosemary Blemings  
 Michael Boon  
 Nerida Bradley  
 Judith Brett  
 Darren Briggs  
 Cynthia Brook  
 Ariella Brosan  
 Roslyn Burge  
 Joy Burgess  
 John Burke  
 Ashley Campbell  
 Fiona Campbell  
 Eloise Carr  
 Stuart Carter  
 Zena Carter  
 Jill Chamberlain  
 Jessica Chan  
 Craig Chappelle  
 Jo Clay  
 Heather Cole  
 Catherine Connor  
 Louisa Connors  
 Simon Coppock  
 Tui Couch & Colleen Boreham  
 Janet Court  
 Peter Craw  
 Maureen Davey

Diane & Roy Deane  
 Mark & Catherine Delaney  
 Louise Denson  
 Carol & Nicholas Dettman  
 Matt Ditton & Clair Schultz  
 Elizabeth Dudley-Bestow  
 Symon Dworjanyn  
 Thomas Ebersoll  
 Sue Edwards  
 Sascha Ettinger  
 David Evans  
 Diana Fallon  
 Jenny Forster  
 Edith Fry  
 Graham Fry  
 Marion Gaemers  
 Alan Glover  
 Genevieve Godwin  
 Russell Goldflam & Pip McManus  
 Nicole & Russell Gorddard  
 Alistair Graham  
 Dr Cecily Greaves  
 GreenCollar  
 John & Rachel Griffiths  
 Dr Robyn Gulliver & Simon Jones  
 Emeritus Prof Neil Gunningham  
 Louise Haggerty  
 Sylvia Hale  
 Greg Hall  
 Julia Hall  
 Willy Hall  
 Julie Hamilton  
 Heidi & Paul Hardisty  
 Philip Harrington  
 Roy Harvey  
 Prof Melissa Haswell

We are very grateful to those supporters who gave other amounts, and to those who choose to remain anonymous.

**Donors \$1,000 - \$4,999**

Robert Hayward  
 Julia Hazel  
 Catherine Hearse  
 Margaret Henderson  
 Alison Hetherington  
 Ian Hill  
 Bill Holdsworth  
 Glen Holmes  
 Peter Homel & Louise Taggart  
 Abi Humphreys  
 Dr David R Hunt  
 Dr Fraser Imrie  
 Rhonda James  
 Beverley Jan  
 Ann Jarman  
 Julie Keating  
 Marnie Kikken  
 Kym Kilpatrick  
 Janine Kitson  
 Krups family  
 Mark Lakewood  
 Andrew Lamond  
 Sharon Lane  
 Jonathon Larkin  
 Arthur & Rosie Lathouris  
 Benjamin Law  
 Caroline Lawrence  
 John Lawrence  
 Bruce Lay  
 Jane Lemann  
 Craig Linn  
 Dr Roger Livsey & Margaret Robertson  
 Rowan Logie  
 Nell Macqueen  
 Elizabeth Maddox & Horst Thiele  
 Jannette & Peter Manins

Andy Marr  
 Carl Martens  
 Helen Mason  
 Alexandra Mateer  
 Catherine McCarthy  
 Angela Michaelis  
 Jonathan Milford  
 Ann & Sunny Miller  
 Kate Moppett  
 Morrison family  
 Keith Murray  
 Cynthia Nadai  
 Angus Neaves  
 KP Neilson  
 Ingrid Neilson & Michael Barnes  
 Nimbin Environment Center  
 Xan Nunn  
 Anita & Patrick Oakley  
 Dr Diana O'Connor & Eric Anderson AM  
 Shrike O'Malley  
 Justine O'Neill  
 Nick O'Neill  
 Sophie Parks  
 William Pitt  
 Dr Raewyn Porter  
 Tim Pullen  
 Ralph Rallings  
 Red Parka  
 Peter & Anne Reeves  
 Daryl Reinke  
 Gordon Renouf  
 Prof Ben Richardson  
 Joanna Robinski  
 David Robinson  
 Eleanor Robinson  
 Paul & Maggie Room  
 Jim Roustas  
 Kate Russell

Susie Russell  
 Kim Ryan  
 Monique Ryan  
 Mark Ryan & Martin Kenny  
 Jeff Sandon  
 Peter Saul  
 Susan Sawyer  
 Schimann  
 Beth Schultz  
 Dr Rosalie Schultz  
 Cristina Scott  
 Emerita Prof Krishna Sen  
 Andy Simpson  
 Carol Skinner  
 Lesley Smith  
 Tim Smith  
 Arnold Spencer  
 Beth Sprunt  
 Anna Sri  
 Heather Stewart  
 Prof John Storey  
 Gillian Sudlow-Haynes & Brian Haynes  
 Sustainable Solutions International  
 Tony Sweetnam  
 Lian Tanner  
 Dianne Taylor  
 Zoe Taylor  
 Ian Tedder  
 Teros  
 Thorpewood  
 Shaz Tinant  
 Catherine Underhill  
 Lennert Veerman  
 Yolandi Vermaak  
 Dan Vickers  
 Joanna & Peter Voller  
 Giz Watson  
 Russell Watts

## Funders

2-APES Fund  
ACME Foundation  
Allen Family Foundation  
Anna Josephson Foundation  
Apanthropy  
Australian Communities Foundation  
Australian Ethical Foundation  
Australian Philanthropic Services Foundation  
Bangalay Environmental Endowment  
Barlow Impact Group  
Besen Family Foundation  
Blue Sky Environmental Trust  
Bluesand Foundation  
Boundless Earth  
Brennan Family Foundation  
Carrawa Foundation  
Chey Family Trust  
Circle 5 Foundation  
Community Impact Foundation  
Coniston Charitable Trust  
David & Miriam Sitsky Foundation  
Diversicon Environmental Foundation  
Dropbox Foundation  
Earthjustice  
Eileen & Terry Lustig Bequest  
EM Horton Family Fund  
Ershkigal Foundation  
Ethinvest Foundation  
Fairer Futures Fund  
Garry White Foundation  
George Lewin Foundation  
Goodman Foundation  
Graeme Wood Foundation  
Grander's Trust  
Green Eyes Foundation  
Groundswell Giving  
Highfield Foundation  
Honnery Cahill Gift  
Illawong  
Joffe Family Foundation  
Keith & Jeannette Ince Fund  
KR Foundation  
Law Society ACT  
Lenko Family Sub-fund  
Mary Maher Family Trust  
McKinnon Family Foundation  
Morris Family Foundation  
Naylor Stewart Foundation  
Norman Family Foundation  
Oceans 5  
Opus 109  
Origma  
Paddy Pallin Foundation  
Patagonia  
Perpetual Foundation  
Pixel Seed Fund  
Purryburry Trust  
Purves Environmental Fund  
Rainforest Foundation of Norway  
Rawson Care Foundation  
Raymond E. Purves Foundation  
Sidney Myer Fund  
Sisyphus Foundation  
SM Robinson PAF  
The Angles Family Foundation  
The George Lewin Foundation  
The Ian Watson Foundation  
The Kimberley Foundation  
The Madden Sainsbury Foundation  
The Orgill Family Foundation  
The Ryan Cooper Family Foundation  
Waverley Street Foundation  
Worworing Fund

We wholeheartedly thank the anonymous foundations who also gave their support.

## Government funding

Australian Government Department of Industry, Science, and Resources  
Justice and Community Safety Directorate, ACT Government  
Department of Justice, Western Australian Government  
Legal Aid NSW, on behalf of the NSW Government and the Public Purpose Fund for the Community Legal Centres (CLC) Program in NSW  
Department of Justice and Attorney-General, Queensland Government  
Department of Environment and Science, Queensland Government  
Department of Environment, Parks and Water Security, Northern Territory Government

# Acknowledgements

# Reports & publications



## Bushfires, Bureaucracy and Barriers: How poorly implemented critical habitat frameworks risk failing the survival and recovery of threatened species and ecological communities

This report by EDO and the World Wide Fund for Nature (WWF-Australia) reveals Australia's habitat protection laws across every jurisdiction are ineffective and woefully under-used.

The legal frameworks designed to protect and safeguard critical habitats are rarely enforced, and there is a significant lack of resources and political will to address environmental threats adequately.

Australia has more than 2000 species listed as threatened with extinction; there is an urgent need for reform to enhance the effectiveness of habitat protection and ensure better conservation outcomes.



## Sports, Climate Change and Legal Liability

EDO and FrontRunners partnered to examine how climate-related impacts, such as extreme weather events and shifting environmental conditions, can have major implications on our sports and athletes.

Sports organisations may be exposed to potential legal and financial challenges – with player and spectator welfare, infrastructure and delivery of events at risk.

This report outlines the opportunities for sports leaders to proactively address climate risks and integrate climate resilience strategies into their operations to mitigate these concerning issues.



## Toxic Transport: How Our Pollution Laws Are Failing to Protect Our Health

Inadequate laws and government inaction are contributing to an estimated 11,000 premature deaths annually in Australia due to transport-related pollution.

From failing to properly set targets to inadequate monitoring of air quality, our current regulatory frameworks are not effectively addressing the myriad impacts of vehicle pollution.

This report outlines the need for a coordinated, all-of-government response to strengthen environmental and public health regulations to reduce emissions, improve air quality, and ultimately protect public health.



## Analysis of Vegetation Management Regulatory Frameworks in Australia

Australia was one of over 100 countries that pledged to halt and reverse deforestation and land degradation by 2030 through the 2021 Glasgow Leaders' Declaration on Forests and Land Use.

This analysis presents an overview of how state, territory and federal governments are performing in tree protection and restoration. It highlights where governments are standing tall and where more action needs to be taken.



## Australian Charities and Not-for-Profits Commission

The Environmental Defenders Office Ltd (ABN 72 002 880 864) holds Deductible Gift Recipient (DGR1) status and is a registered charity under the *Australian Charities and Not-for-profits Commission Act 2012* (Cth).

All donations made to the Environmental Defenders Office are made in the form of a gift, and donations \$2+ are tax-deductible.

## Community Legal Centres Australia National Accreditation Scheme

The Environmental Defenders Office is an accredited community legal centre that was assessed under the National Accreditation Scheme (NAS) by CLCNSW. It continued to be certified during the 2023/24 financial year. The National Accreditation Scheme is an industry-based certification process that supports and recognises good practice in the delivery of community legal services. The NAS provides a quality assurance process that gives confidence that community legal centres are operating according to good practice and industry standards. The Environmental Defenders Office in Victoria has recently become a member of the Federation of Community Legal Centres in Victoria.



## Equivalency Determination

The Environmental Defenders Office Ltd has been certified as equivalent to a US Certified Public Charity through NGOsource. EDO's Equivalency Determination certificate is valid until 30/06/26 and can be accessed through the NGOsource repository [www.ngosource.org](http://www.ngosource.org)

## State and Territory Fundraising Legislation Requirements

As a national organisation, the Environmental Defenders Office conducts fundraising operations in all States and Territories and holds the following licences:

**New South Wales**  
*Charitable Fundraising Act 1991*  
Charitable Fundraising Authority Number 12837

**Queensland**  
*Collections Act 1966*  
Organisation Number CH3487

**Tasmania**  
*Collections for Charities Act 2001*  
Approval Number C/11237

**Victoria**  
*Fundraising Act 1998*  
Registration Number FR0015879

**Western Australia**  
*Charitable Collections Act 1946*  
Licence Number CC22957

**South Australia**  
*Collections for Charitable Purposes Act 1939*  
Licence not required

**Northern Territory**  
Licence not required

**Australian Capital Territory**  
*Charitable Collections Act 2003*  
Licence not required



## 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](http://www.acfid.asn.au)

This site also includes information about how to make a complaint in relation to any breach of the Code.

## Liability of Members

As at 30 June 2024 the number of members was 55. In accordance with the constitution, if the company is wound up each member may be required to contribute a maximum of \$10 each towards meeting the outstanding obligations of the company. Based on this number the total amount that members of the company would be liable to contribute is \$550 (2023: \$510).



"We're living through an extinction crisis and a climate emergency. These are wicked problems. But they're being supercharged by extractive industries determined to exploit our diminished environment as if such challenges either don't exist or do not concern their shareholders. Some are pushing for even easier access and even less regulation and oversight.

This is the context that makes the EDO indispensable.

Nature's greatest plunderers deploy two large and expensive tactics to get their way. The first is lobbying – sometimes known as state capture – and the second is lawfare.

As nature's guardians and patriots, we're forced to contend with both. It's a deeply uneven struggle. Ordinary citizens and community groups cannot match the resources or institutional power of corporations and governments. Even so, we have what they do not – abiding passion, moral force, and popular support.

But time and again, the welfare of Country and the arguments of those thousands defending it, are tested in court, where moral force and public support aren't enough. This is where the expertise of the EDO is invaluable. And it's increasingly required because the appetite for Cheap Nature is never sated.

Without the work of the EDO, our country would be in worse shape and our future would be grimmer. Many times, it's been their efforts that have made the difference between saving a place and losing it. That's why I support them. It's why they deserve the thanks and support of all of us struggling to resist the destruction of our home and our children's future. I hope you'll find a way to celebrate their work, reinforce their sacred mission and keep them in the battle by donating what you can."

**Tim Winton AO**



Suite 8.02 Level 8, 6 O'Connell St,  
Gadi/Sydney NSW 2000

PO Box 1105, Royal Exchange, NSW 1225

[edo.org.au](http://edo.org.au)

FreeCall 1800 626 239

ABN 72002 880 864

 @environmentaldefendersoffice

 @environmentaldefendersoffice

 @environmentaldefendersoffice

 @environmentaldefendersoffice

 @EDOLawyers

 @EDOLawyers



To make a  
donation please visit  
[edo.org.au/donate](http://edo.org.au/donate)