

# Protecting the environment through the law

ENVIRONMENTAL DEFENDERS OFFICE NT (EDONT)



EDONT is a community legal centre specialising in public interest environmental law. We advise and act for individuals, traditional owners, community groups and conservation groups seeking to protect the environment in the public interest. We also provide outreach and community education services and engage in policy and law reform to advance the Territory's environmental laws.

We have been operating in the Territory since 1996, and although a very small service (currently staffed by one lawyer), we have a big impact for our clients and for the environment they are seeking to protect.

## **Providing legal representation, advice and access to justice**

EDONT represents clients from across the NT who want to use the law to protect the environment, including in litigation matters.

Recently, we acted on behalf of the Environment Centre NT in the Supreme Court to challenge decisions of the NTEPA and the Pastoral Land Board that permitted the clearing of more than 20 000 hectares of native vegetation at Maryfield Station, southeast of Katherine.

This was a landmark legal challenge in the NT, with our client arguing the NTEPA failed to properly consider climate change in its decision not to require the clearing application to go through the environmental impact assessment process. The estimated greenhouse gas emissions from the permit would have been 2-3 million tonnes, equivalent to about 15-20% of the NT's entire annual emissions.

Our client was successful in the proceedings, with His Honour Justice Barr finding that the permit was invalid



**JAMES HUTTON (COUNSEL), GILLIAN DUGGIN EDONT PRINCIPAL LAWYER, SHAR MOLLOY DIRECTOR ECNT, AND PETER BELLACH (COUNSEL)**

as the NTEPA failed to properly follow the requirements of its own Act. The decision highlights the importance of rigour and integrity in environmental decision-making.

### Engaging in law reform and policy

EDONT closely engages in law reform and policy processes. For many years, we have advocated for reform of the Territory’s weak environmental laws.

We have been particularly busy in this space this year, with the NT Government progressing a significant environmental regulatory reform agenda, as well as implementing legal and regulatory reform arising from the recommendations of the *Scientific Inquiry into Hydraulic Fracturing in the NT*, following its decision to lift the moratorium on fracking.

We were very pleased the Environment Protection Bill 2019 finally passed through the Legislative Assembly in September. EDONT engaged closely in the development of the Bill through public consultation processes, preparing written submissions and appearing at the Social Policy Scrutiny Committee’s inquiry on the Bill.

The new Act represents a significant step forward and means that the NT will now have a modern and comprehensive environmental impact assessment law. We are optimistic that it will bring a new era of environmental protection with benefits for all communities across the NT—especially remote communities, which are often most impacted by major development such as mines.

### Providing community legal education

EDONT’s community legal education and outreach work plays a vital role in supporting access to environmental justice for communities across the NT.

Our recent work has focused on updating our extensive collection of online factsheets and online information, including around the regulation of hydraulic fracturing, and attending community events to provide information about current law reform processes. ■

You can find out more about our work at [edont.org.au](http://edont.org.au)



☎ 08 8981 5883

✉ [edont@edont.org.au](mailto:edont@edont.org.au)

🏠 [www.edont.org.au](http://www.edont.org.au)

📘 [facebook.com/environmentaldefendersofficent](https://facebook.com/environmentaldefendersofficent)

🐦 [twitter.com/EDO\\_NT](https://twitter.com/EDO_NT)

## FINDING IT HARD TO



## KEEP IT TOGETHER?

**LawCare: Caring for the legal profession in the NT**

The Society funds a professional, confidential and free counselling service for our members and their immediate family, provided through Employee Assistance Service Australia (EASA).

If you are experiencing workplace, personal or emotional issues which are affecting your work or personal life, please call LawCare via the EASA Program 24-hour support line on **1800 193 123** or visit their website at: [www.easa.org.au](http://www.easa.org.au).

When booking an appointment please inform the operator that you are a Law Society Northern Territory member.

**DARWIN: (08) 8941 1752**

**ALICE SPRINGS: (08) 8953 4225**

**KATHERINE: (08) 8941 1752**

*This service is completely confidential. The Society will only receive statistical information on the numbers accessing the service.*

