



ECOLOGICAL SUSTAINABILITY REPORT 2009-2010

Specialists in environmental & sustainability law

HEAD OFFICE: 70 Rosmead Avenue, Kenilworth, Cape Town 7708
T +27 (0) 21 671 7002 F +27 (0) 21 671 7003 E info@greencounsel.co.za www.cullinans.co.za

BRANCH OFFICE: 233B Florida Road, Morningside, Durban 4000

Cullinan & Associates Incorporated (2001/001024/21)
DIRECTORS: CP Cullinan, GN Daniels, SD Kvalsvig ASSISTED BY: IK Coetzee, GS Nel, L Mahomedy
CONSULTANT: BL Adams



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1. INTRODUCTION

This report contains a summary of the steps taken by Cullinan & Associates ("C&A") during the period March 2009 to February 2010 in furtherance of the sustainability commitment and objectives set out in the firm's Ecological Sustainability Policy.

2. PROGRESSIVE REALISATION OF THE ENVIRONMENTAL RIGHT¹ THROUGH KNOWLEDGE CREATION AND TRANSFER

In 2009, all C&A attorneys held Masters Degree in Environmental Law. Megan Adderley (candidate attorney) registered for a Master's degree in Constitutional Law in January 2010.

This year, the work we have undertaken that we feel most contributes to the progressive realisation of the environmental right through knowledge creation and transfer includes:

- developing the National Strategy for Sustainable Development for the National Department of Environmental Affairs;
- providing training for the City of Cape Town officials on aspects of environmental law;
- participated in proceedings forming part of the Climate Change Conference 2009 in Copenhagen (as part of the Bolivian delegation);
- being part of the team responsible for drafting a Water Efficiency Guideline for eThekweni Municipality's Greening Durban Programme;
- through our Durban branch and its links to the Durban Chamber of Commerce and Industry, playing an advisory role in the Durban Industry Climate Change Partnership;
- drafting the Durban Climate Change Partnership Declaration (the first of its kind in Africa);
- drafting a Biodiversity Bill for the Western Cape Province which will shortly be released for public comment;
- embarking on a project to provide the City of Cape Town with advice regarding the legal implications of climate change and possible legal reform in this area; and
- compiling a Sustainable Development Report for the Western Cape Department of Environmental Affairs and Development Planning.

¹ "Everyone has the right –

- (a) to an environment that is not harmful to their health or wellbeing; and
- (b) to have the environment protected, for the benefit of present and future generations, through reasonable legislative and other measures that –
 - (i) prevent pollution and ecological degradation;
 - (ii) promote conservation; and
 - (iii) secure ecologically sustainable development and use of natural resources while promoting justifiable economic and social development."

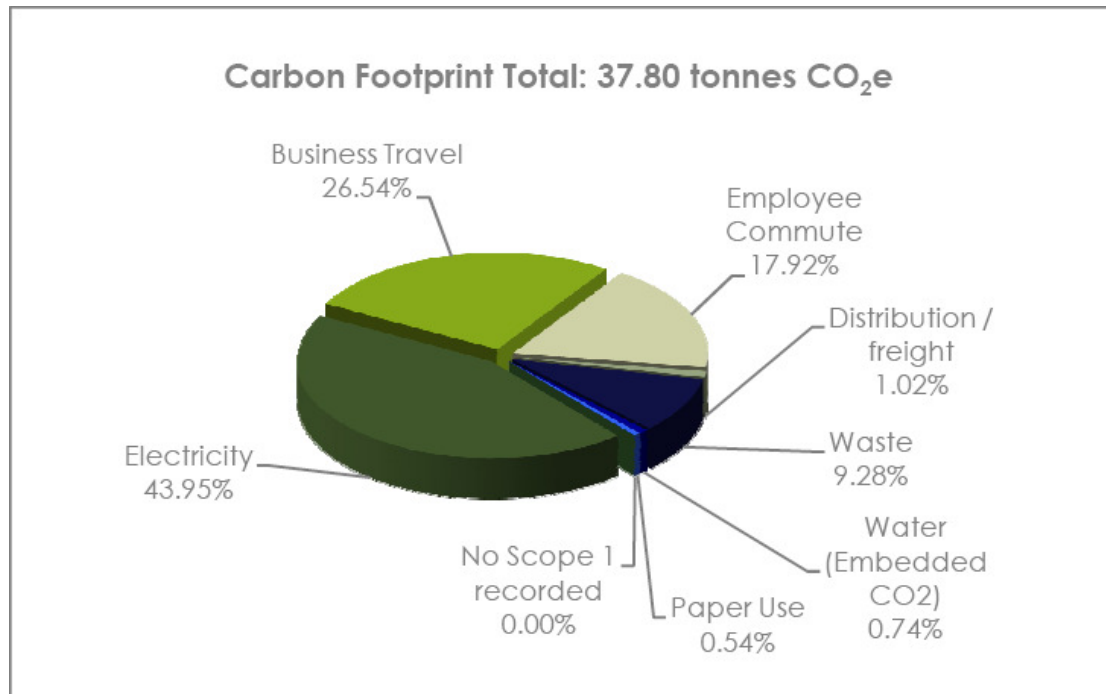


3. CLIMATE CHANGE

In 2009 we were the first law firm to have established a climate change reduction “club” under the auspices of Project 90 x 2030, an organisation which aims to encourage its members to achieve a 90% reduction in their greenhouse gas emissions by the year 2030. Our club is called “Abahlobo Behlabathi” (which means “friends of Earth” in isiXhosa) and we were proud to receive a “Climate Champion 2009” award from Project 90 x 2030 for an outstanding effort in reducing our carbon footprint and making lifestyle changes.

All our staff members are members of Abahlobo Behlabathi and with the support of the staff of Project 90 x 2030 we have monitored the carbon footprints of each member of staff as well as the carbon footprint of our organisation, every six months since April 2008. We set ourselves specific individual and collective targets for carbon reductions (electricity, transport, recreational flights and waste) and meet regularly with Project 90 x 2030 organisers to discuss our progress and to exchange ideas for reducing our carbon footprint with other clubs. Our members of staff have all taken measures in their homes to promote ecologically sustainable living such as installing solar water heaters, recycling household waste, growing food, composting kitchen waste, installing energy saving lightbulbs and buying organic food.

Global Carbon Exchange assessed the firm’s carbon footprint in line with the International Greenhouse Gas Protocol for the period March 2009 to February 2010. The assessed carbon footprint of the firm was a relatively low carbon footprint of 37.80 tonnes of CO₂e which we have offset by investing in the Low Income, Energy Efficient Housing & Climate Change Project at Welbedacht, KwaZulu-Natal, becoming the first carbon neutral law firm in South Africa.



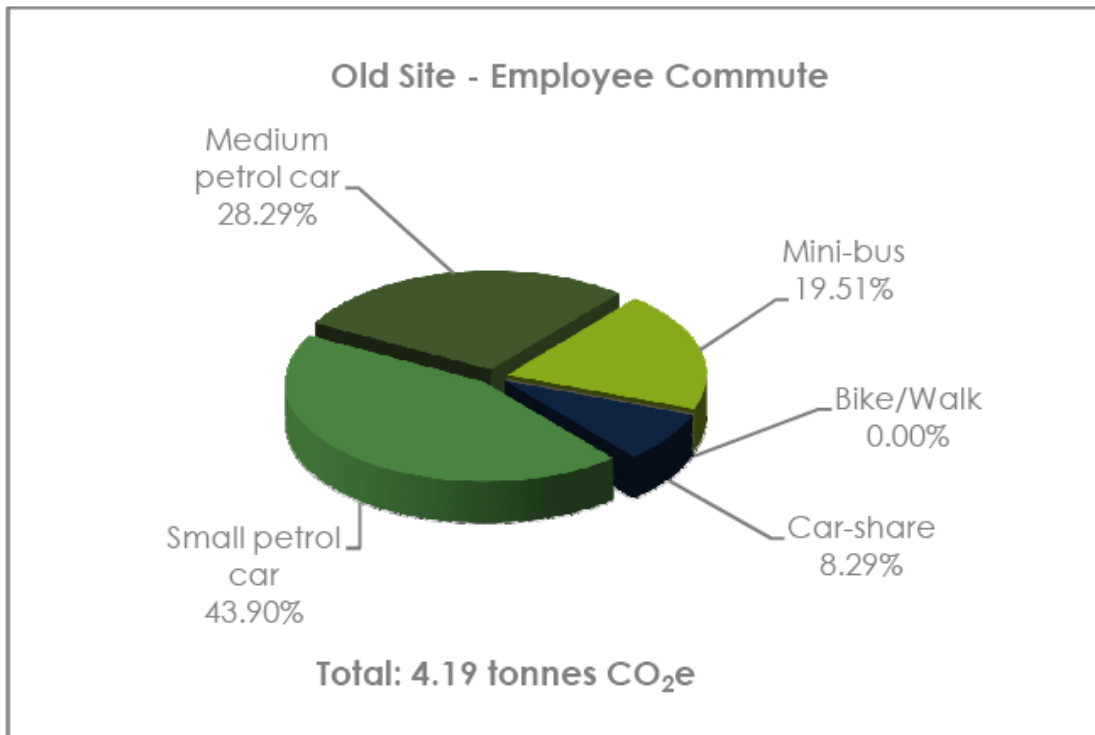


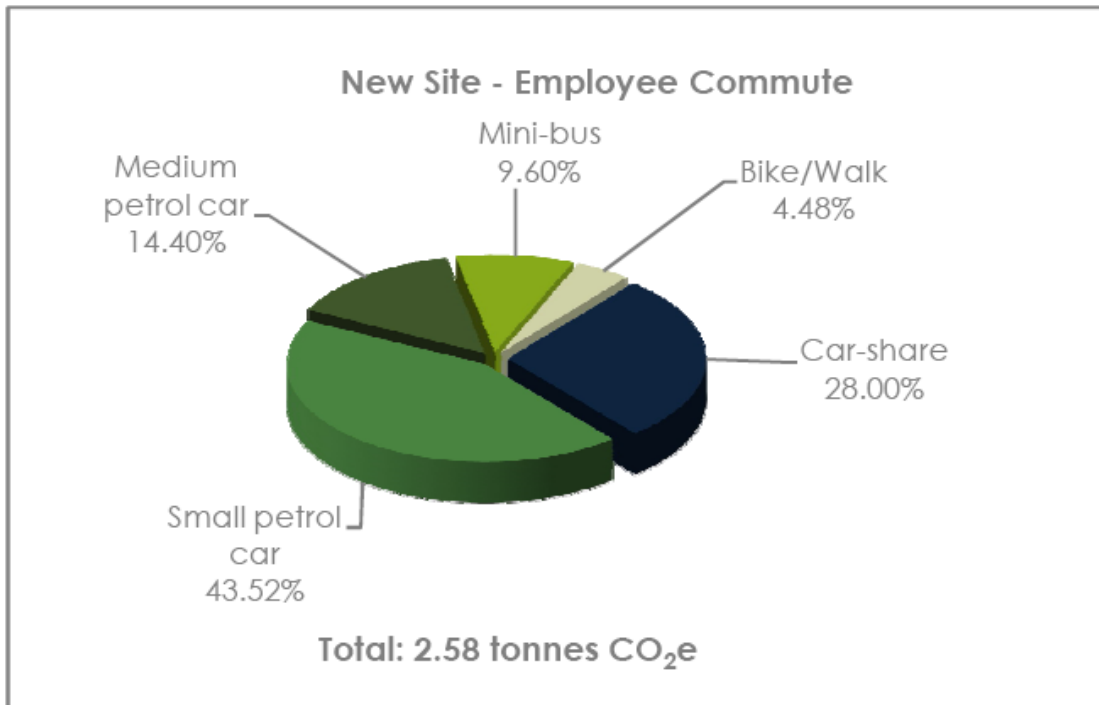
Some of the specific measures that we have taken and intend taking to reduce our greenhouse gas emissions by reducing the impact of travel, office energy consumption and waste are discussed below.

4. TRAVEL

Business travel continues to be a major contributor to our collective carbon footprint (10.03 CO₂e or 47.35% of total emissions per annum) and although we seek to eliminate unnecessary travel (e.g. by holding meetings with staff members in our Durban office via Skype), it is not possible to eliminate air travel. Consequently we have opted to offset the carbon emissions of flights via the Low Income, Energy Efficient Housing & Climate Change Project. In future we intend to engage in discussions with key clients regarding their willingness to voluntarily offset the carbon emissions of flights which are undertaken as part of the performance of services to them.

We have achieved significant reductions in the impacts of travel by moving our head office from central Cape Town to Kenilworth which is nearer the homes of many of our members of staff. Just in travel consumption, our carbon footprint has come down from 4.19 tonnes CO₂e in travelling to central Cape Town, to only 2.58 tonnes CO₂e in travelling to the new offices in Kenilworth. Several staff members who live near the office now cycle or walk to work where shower facilities are provided. Several of the staff members who live further away have formed a car pool to get to work.





We allow certain of our professionals to work from home when there is no need for them to be in the office, which reduces the use of petrol and greenhouse gas emissions.

5. ENERGY EFFICIENCY

We have implemented a number of measures to improve energy efficiency including:

- commissioning an energy audit of our new building and implementing recommendations in the report such as installing energy saving T5 florescent tubes throughout the office;
- eliminating the need for a hot water geyser and kettles in the kitchen by installing a unit which provides boiling water on tap (the unit is switched off after hours);
- switching off air conditioning heating facilities in rooms when they are unoccupied and keeping doors and windows closed when these facilities are in use; and
- switching computers and equipment (except the fax machine) off at the plug at the end of each day.



6. WASTE REDUCTION

6.1 Paper

The firm continues to use significant amounts of paper but we are reducing the use of paper by:

- applying a strict policy of double-sided printing (for printing documents, incoming faxes and for photocopying);
- including a message on the bottom of e-mails reminding the recipients not to print them unless necessary; and
- reusing old file covers and reusing paper which does not include confidential information as notepads.

We are continuing to explore additional ways of reducing the amount of printing we do.

Each office has a waste paper collection box and all waste paper (including newspapers) is collected and recycled, along with other waste (i.e. glass, cans, plastic, boards etc.), by the Oasis Association's Recycling and Waste Management Project. Old archive files are shredded and disposed of to a waste paper recycling company. In addition, the Durban office takes part in the Paper and Plastic Recycling programme run by Durban Solid Waste and Mondi recycling and Izaka Plastics.

6.2 Electronic

We donate old computers and other electronic equipment to charities which repair and reuse them or recycle them. We only use rechargeable batteries in our dictaphones.

6.3 Organic waste

Food scraps from the communal meals prepared communally by us and the other occupants of our building are fed to worms in our vermiculture boxes which produce a rich compost used for the garden.

7. WATER

The firm uses very little water. Water consumption in the toilets has been reduced by the installation of double flush toilets and water use in the kitchen has been reduced by the use of a dishwasher, which is shared with the other occupants of our building.

8. FOOD

In order to minimise our carbon footprint, and promote organic farming and local economic development we:



- eat communally with all the other occupants of the building;
- as far as practically possible, procure food that is organic, free range and free trade certified (e.g. organic chickens, fruit and vegetables, Fair Cape milk and SASSI fish products);
- supply tap drinking water only and discourage the use of bottled water;
- some staff members obtain weekly boxes of vegetables from Abalimi Bezekhaya, a local non-governmental organisation which enables people in the townships around Cape Town to make a living by growing organic produce;
- do not use any disposable cups, plates or cutlery in the kitchen.

We are grateful to Project 90 x 2030 for funding several months of vegetable boxes for the members of Abahlobo Behlabathi as their "Climate Champion 2009" award.

We have started growing herbs in our office garden and intend to expand our garden to grow salad ingredients for staff lunches.

9. BIODIVERSITY

We have moved our offices from the inner city to premises that we feel better reflect our commitment to ecological sustainability. Our firm's landlord (a company which is part-owned by C&A directors) has established an indigenous and water-wise garden at our offices. In the coming year, we will be responsible, along with the other occupants of our building, for maintaining and developing the indigenous garden, which we hope will become a habitat for birds, small mammals and reptiles, and insects.

10. EDUCATION

We consistently share information about environmental issues among staff members and have screened several documentaries on environmental issues to staff members including: "Nature of Life", "The Story of Stuff" etc.

11. COMMUNITY OUTREACH

We provide legal advice at reduced rates or on a *pro bono* basis, for environmental and resident's organisations who are not in a position to pay our normal fee rates. We supported the Project 90 X 2030 campaign by helping draft their climate change pledge and signing up to it.

Several staff members do volunteer work for environmental organisations such as the Two Oceans Aquarium.



12. GREEN PROCUREMENT

Where possible we procure goods and services from organisations which promote ecologically sustainable development. For example, when we buy electronic equipment we make sure that they have a “energy star” label and we are investigating sourcing organic or “fair trade” coffee.

We sourced staff Christmas gifts for 2008 and 2009 from local suppliers who used recycled materials.