

This discussion paper seeks feedback on how to manage compliance burdens associated ongoing DGR eligibility.

As a citizen and a grandmother I submit to this enquiry on the importance to our society and our future generations of environmental organisations advocating for, and protecting, the land, forest and atmosphere that sustains human life. I support the democratic right to, and importance of, peaceful protest.

Consultation question

7. What are stakeholders' views on the proposal to transfer the administration of the four DGR Registers to the ATO? Are there any specific issues that need consideration?

The ATO has a higher mission to collect tax that is due. I understand the ATO is on one hand starved of resources to do that job, particularly in regard to high level tax avoidance, so why is it being considered that it might carry out the governance duties already being managed by the ACNC? Environmental organisations are hardly in the 'high finance' sector.

This inquiry seems focussed on the rights of commerce to exploit the environment. I submit that commerce has its place in society, but it does not, and is unable to, produce the elements fundamental to life on Earth. Space exploration tells us that this is the only planet in the galaxy with the soil, water, air, forests and seas to support life. The value of life on earth is immense, yet we now know that extended exploitation of these elements – quaintly regarded by the corporate sector as "externalities" - has made it vulnerable to extinction through climate change. Science has charted the rise in global warming as greenhouses gases are emitted at such a rate by industry that the atmosphere cannot absorb them.

Commercial exploitation of the resources that underpin our life should in fact be better controlled by governments, and it is an indictment on modern life that governments support "economy" over and above these fundamental elements. It is a credit to democratic society that there are volunteers and environmental organisations standing up on behalf of the natural realm.

The avoidance of fair taxation by industry is well known by the ATO and continues to come before the public. The fossil fuel sector – gas, oil, coal and other mining – would like to have a licence to take even more, but conversely should be ashamed of its over exploitation of natural resources.

This illustrates failure of governance at a global scale, and as Australia is highly vulnerable to global warming with its coastal cities and being the world's driest continent, our government should be exerting itself to protect our environment. Instead, it acts as an agent for national and multinational corporations that seek to enrich themselves by pursuing their outdated business models.

Consultation question

9. What are stakeholders' views on the introduction of a formal rolling review program and the proposals to require DGRs to make annual certifications? Are there other approaches that could be considered?

In a small way, to the best of my ability, I donate to and support organisations that aim to protect landmark environmental elements. In fact, I would like to see greater governmental protection of the environment. Environmental organisations are forced into existence and action by a combination of industry over-reach and regulatory failure. These are the real issues for government, not the time-wasting micro-management of reviews and discussion papers such as this.

The work of environmental organisations is important to society, and to waste their time on "rolling reviews" seems like a deliberate and irresponsible proposal to hobble them entirely. There are current substantial regular reporting and complaints processes already in place. The ACNC compliance and auditing includes a process of de-registering disbanded or dormant charities that fail to comply (DGR status would also be revoked as a result).

Consultation question

11. What are stakeholders' views on the idea of having a general sunset rule of no more than five years for specifically listed DGRs? What about existing listings, should they be reviewed at least once every, say, five years to ensure they continue to meet the 'exceptional circumstances' policy requirement for listing?

What for? Community groups with DGR status in most cases work very hard to achieve their mission with volunteer support etc. Their work is reported annually in any event, so in the absence of a serious breach, this suggestion would only result in further waste of time and resources. In the event that governments effectively legislated to ensure protection from industrial damage to the environment, ongoing work in a particular sector might no longer be required by a specific DGR, in which case it would discontinue.

Consultation question

12. Stakeholders' views are sought on requiring environmental organisations to commit no less than 25 per cent of their annual expenditure from their public fund to environmental remediation, and whether a higher limit, such as 50 per cent, should be considered? In particular, what are the potential benefits and the potential regulatory burden? How could the proposal be implemented to minimise the regulatory burden?

Environmental organisations are not causing issues that require remediation. Environmental organisations are not cutting down forests, polluting rivers, or mining. If remediation of an industrial site is required, the responsibility would rightly be of that corporation that has profited from the resource extraction. Better regulation and appropriate deposits for foreseen damage to the natural world and the public realm are required prior to works commencing. Of course, some community groups form to remediate local areas which have been neglected over time, but theirs is quite a different mission from other groups trying to prevent damage to a particular feature before it happens.

13. Stakeholders' views are sought on the need for sanctions. Would the proposal to require DGRs to be ACNC registered charities and therefore subject to ACNC's governance standards and supervision ensure that environmental DGRs are operating lawfully?

The current role of the ACNC in overseeing charity regulations and investigating any issues and/or complaints is supported.

Any perceived illegal behaviour should be referred to the authorities as per normal.

The inconsistency in Treasury's approach is noted with concern: there is no mention of introducing any proposed equivalent limitations or sanctions for public and private corporations that receive the benefit of tax deductibility for expenditure etc, when caught breaching pollution, land clearing, threatened species protection, occupational health and safety, tenants' rights and other laws.

Thank you for the opportunity to submit to this important inquiry into what I hope will be a more respected and healthier future for DGR organisations which are fulfilling an important role in our society.

We need better governance at government level.