



Mackay Conservation Group

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Committee Secretary

House of Representatives Standing Committee on the Environment

PO Box 6021

Parliament House

CANBERRA ACT 2600

By email to: environment.reps@aph.gov.au

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Dear Committee,

Submission to the Inquiry into the Register of Environmental Organisations

Thank you for the opportunity to make a submission. My submission to the Committee addressing the Terms of Reference is below.

I am the Co-ordinator of the Mackay Conservation Group. MCG has been on the Register of Environmental Organisations since 11 June 1993, and has deductible gift recipient status.

About the Mackay Conservation Group

Mackay Conservation Group has been active in the Mackay area in Central Queensland since 1985, and was incorporated in 1987. We are proud to be celebrating our 30th birthday this year. We are a regional conservation council, advocating for the protection of the environment in our local area. We are part of a network of other regional conservation councils in Queensland, such as the Cairns and Far North Environment Centre, the North Queensland Conservation Council, the Capricorn Coast Conservation Council, the Gladstone Conservation Council, and the Sunshine Coast Environment Council among others.

Our organisational purpose

Our charitable purposes are described in our constitution:

1. The objects for which the Association is established are:-
 - a. To promote, engage in and ensure the conservation of the land, atmosphere, water and physical features of the same and from which are formed the surroundings of living and non-living things including human beings (hereinafter called "the environment") and in particular to promote the

conservation of the area surrounding the city of Mackay and north to Proserpine, south to St. Lawrence, west to Clermont and East to the territorial limits of the Commonwealth of Australia including the islands, the ocean and ocean floor and the Great Barrier Reef (hereinafter called “the region”).

- b. To promote the conservation of the built and natural environment in the region and elsewhere.
- c. To promote public awareness of the environment by all manner of activity and to engage in the dissemination of information to the public.
- d. To engage in research of benefit to the environment within the region and elsewhere.
- e. To lobby for, promote and ensure the imposition, carrying out and maintenance of any statute, order, regulation, by-law or other enactment or lawful requirement of a body corporate for the benefit of the environment in the region and elsewhere.
- f. To take advantage of any lawful right or privilege whatsoever granted to the Association to uphold, promote or further the interests of the association.
- g. Generally, to further the objects of the Association including such other objects of the Association as shall be determined by the Association in accordance with these Rules.

Activities undertaken by Mackay Conservation Group and the extent to which these activities involve on-ground environmental works

Over the last thirty years MCG has engaged in diverse activities in order to implement our organisational purposes, including:

- Providing detailed submissions to Federal and State government inquiries on environmental issues
- Providing detailed submissions to planning processes including Regional and Coastal plans
- Providing detailed submissions as part of the environmental approvals process for resource and other developments in our region
- Providing input and advice via committees at local and State government level

- Meeting with elected and industry representatives in relation to environmental issues
- Collecting data on environmental issues such as air quality or flora and fauna numbers
- Facilitating community involvement in environmental processes through:
 - o Providing direct advice on the environmental problems and decision making processes to affected community members
 - o Running information stalls at local events on environmental issues
 - o Providing community members an opportunity to input through online submissions and petitions
 - o Organising community information sessions on environmental issues
 - o Organising meetings between community members and elected representatives to express their concerns
- Engaging in public interest litigation on key environmental issues
- Encouraging sustainable practices in various community sectors for example through local high schools
- Organising field trips and excursions for the public to better understand the local natural and built environment
- Maintaining the Mackay Environment Centre which is a resource hub and meeting space for other environment groups
- Organising tree planting, rubbish clean ups and environmental expos

We would be happy to provide examples of any of these activities to the Committee upon request.

In addition to donations and philanthropic grants, we currently receive funding from the Queensland government to assist us with our functions of representing community views on the environment to policy makers.

We communicate to our members and supporters through a monthly e-newsletter, an annual report of our activities, via Facebook and Twitter and through maintaining a drop in and phone in service at the environment centre.

Meaning of 'on ground works'

It is difficult to understand what the Terms of Reference mean by 'on ground works' as this is not included in any current legal definitions of charities or environmental organisations. We regularly travel to affected communities across our region to discuss environmental issues of concern, and make ourselves available to meet with community members.

It is our experience that engagement in policy and decision making processes is effective in protecting the environment. We have found further that various positions that we have taken in our advocacy efforts have in fact been adopted by the government of the day or subsequent governments.

We work in the public interest by informing community members of issues, and ensuring communication between decision makers and the public on key issues of concern. The adoption of our positions as good policy by government is one endorsement of their being in the public interest.

The role of advocacy in our activities

Over our 30 year history, involvement in decision making processes has led to some key environmental outcomes. This has included protection of important coastal areas including the Slade Point wetlands, islands in the Whitsundays, rainforest in the Crediton State Forest, and the Goorangah Wetlands. These areas are now valued highly by the community and the businesses that depend on these natural assets.

For many years we worked with cane farmers to highlight the impacts of farming practices on the Great Barrier Reef. This is now recognised as crucial and Natural Resource Management Groups are now funded by both State and Federal governments to develop positive outcomes.

We have also seen crucial shifts in government policy and spending as a result of campaigns that we have been involved in, such as land clearing, and most recently dumping of dredge spoil in the Great Barrier Reef Marine Park. We are keen to assist this Inquiry to better understand the role of advocacy as a crucial part of positive policy development and have prepared the case study below to assist in that process.

Case study: dumping of dredge spoil in the Great Barrier Reef Marine Park

Since 2013, Mackay Conservation Group has been part of a coalition of environmental groups campaigning on the issue of the environmental impacts of dumping of dredge spoil on the Great Barrier Reef. We put in numerous submissions on the environmental approvals for the proposed port expansions at the Ports of Abbot Point and at Ports at Hay Point, highlighting our concerns with the proposals, including the impacts of dredge spoil dumping. Mackay Conservation Group members and supporters signed petitions and also sent submissions to government decision makers and agencies on the issue. We organised colourful community events in Mackay to highlight our concerns.

In March 2014 we launched legal action against Minister Greg Hunt's decision to approve the dredging and dumping associated with the proposed expansion of the Abbot Point coal terminal. Although receiving support from the local community and across Australia for this action, groups initiating legal action were attacked by Federal Member for Dawson George Christensen as 'eco-terrorists' and 'gutless green grubs.'¹

However less than six months after the initiation of our court action, in August 2014, George Christensen MP admitted that he 'got it wrong' about dredge spoil dumping², and said that he was actively requesting that the dredge spoil be relocated on land. In November 2014 Greg Hunt announced plans to ban the controversial practice in the Great Barrier Reef Marine Park³ and on 17 May introduced regulations putting the ban on marine dumping in the Great Barrier Reef Marine Park into law.

Via his media release on 17 May, Minister Hunt stated that the Government was implementing this 'historic ban' and ending this 'centuries old practice.' The sea dumping ban is a central plank of the Government's representations to the World Heritage Committee in relation to their management of the Great Barrier Reef World Heritage Area.⁴

The ban on sea dumping is the direct results of the combined advocacy efforts of many groups and individuals, including the Mackay Conservation Group. Fundamentally, we believe that 'advocacy' leads to better policy outcomes, and protects governments and companies from making dangerous and costly decisions that may have unintended consequences.

¹ <http://www.smh.com.au/federal-politics/political-news/nationals-mp-george-christensen-calls-green-activists-terrorists-20140925-10lt5a.html>

² <http://www.theguardian.com/environment/2014/aug/27/barrier-reef-government-mp-says-he-got-it-wrong-on-dredging-spoil-support>

³ <http://environment.gov.au/minister/hunt/2014/pubs/mr20141110.pdf>

⁴ <http://www.theaustralian.com.au/national-affairs/greg-hunt-on-offensive-with-great-barrier-reef-ban/story-fn59niix-1227195205933>

Definition of 'environmental organisation' under the *Income Tax Assessment Act 1997*

We recommend keeping unchanged the current definition of 'environmental organisation' under the *Income Tax Assessment Act 1997* so those organisations continue to hold deductible gift recipient status. Organisations that satisfy the 'principal purpose' test benefit the public and we recommend donations to them being tax deductible as the current legislation allows.

Requirements to be met by an organisation to be listed on the Register and maintain its listing / Reporting requirements for organisations to disclose donations and activities funded by donations/ Compliance arrangements

We currently report to both the Australian Charities and Not for Profits Commission and the Queensland Office of Fair Trading each year, disclosing our financial activities and any changes to our rules or to our Management Committee. We conduct an Annual General Meeting to inform our members of our activities and invite their participation in our Committee, as well as meeting all the other organisational requirements in relation to a Management Committee. We operate a Public Fund Committee as required by our DGR status.

We believe that having an 'arms length' regulator like the Australian Charities and Not for Profits Commission assists in providing consistent and apolitical direction to non profit organisations.

Thank you for the opportunity of making this submission.

Yours sincerely

Ellen Roberts
Co-ordinator
Mackay Conservation Group