



STEP Inc. Newsletter

Community Based Environmental Conservation Since 1978. No. 80 August 1996

COMING EVENTS

SPRING BUSHWALK Our Spring Bushwalk will take place on Sunday, September 8th. Meet at Wallalong Cres., West Pymble, opposite Diana Ave. by 2.00 pm.

Jennifer Schwarz will take us along part of the Great North Walk to De Burgh's Bridge and back, following Walk 12 in the Field Guide to the Bushland of the Upper Lane Cove Valley in the reverse direction. The walk will take about 3 hours and is easy.

There will be at least one car parked at De Burgh's Bridge for anyone who only wants to walk one way. If you want a shorter walk, there are exit trails to Gloucester Ave. and to Hampshire Ave. (although you will have to organise a car shuffle for this one).

Our walk starts near the site where Optus planned to build a communications tower. We hope to find the rare plants *Darwinia biflora* and *Tetratea glandulosa*, which persuaded them to abandon their plans for this site.

ANNUAL GENERAL MEETING

STEP'S AGM will be held on Thursday, 17th October, 1996, at 8.00 pm. in the Kissing Point Sports Hall in Auluba Rd., South Turramurra.

We have invited Barbara Bryan, Vice-President of the North Shore Camera Club to talk to us and show us some of her photographs. Barbara has won several awards for her work and recently went on a photographic expedition of the National Parks of western New South Wales.

We would also like to see your photographs of the local bush environment (flowers, birds, trails, fire recovery, activities etc.). Please don't be shy! If your photographs are not quite as successful as you would like, come along and get some tips; if you are proud of your efforts, let us share your enjoyment.

We are also looking for new photographs for STEP's display stand and prizes will be awarded for the best ones.

Have the photos pinned or pasted to stiff board backing for display or, ring Bruno on 9449 1985 and discuss your ideas. Cheese and wine, orange juice, tea and coffee will be offered during the viewing.

Before the fun there is of course some business to attend to, such as the annual reports, election of a new Committee, and as you will see elsewhere in this Newsletter, the consideration by the meeting of a special resolution.

WANDERING ALBATROSS

In suitably freezing conditions on 17th July, Durno Murray, a leading authority on albatrosses, gave us a fascinating talk on the forays of the wandering albatross across the Southern Ocean. The seventeen or more species breed mainly on the Sub-Antarctic islands, which are free of large predators, so that their chicks can be left in safety for long periods of time. The bird's large body gives it good insulation and reserves of fat, enabling it to survive without food on its journeys of thousands of kilometres. Its two and a half metre wingspan allows it to glide for great distances, while using the winds generated by the weather patterns to best advantage. The discovery of this ability to use the weather is one of the insights gained through the

research which has been conducted recently. Durno gave an overview of the methods used to gather information on the bird's behaviour. Bird banding was the initial approach adopted forty odd years ago, but has now been supplemented with up to the minute technology in the form of satellite tracked radio transmitters, which provide a record of the movements of a bird. Durno displayed this information on slides and overheads to illustrate the species, their habitats, their preferred feeding grounds and their flight patterns.

He also explained that albatrosses are endangered species and their numbers are declining. One of the reasons for the decline is long line fishing, which has tended to catch the younger, less experienced birds on the hooks of the 100km line near

the surface and thus killing about 8000 birds each year and changing the age structure and gender balance of the population.

These changes are serious since the birds only start breeding after age 12 and only produce one egg per year. Some progress has been made in their protection through the use of streamers, or the setting of lines at night to avoid attracting the birds, but not all fishing fleets are yet cooperating.

The audience was very appreciative of Durno Murray's knowledge and skill in presenting his material, truly a *Very Professional Amateur* as he has been called.

STEP COMMITTEE

The AGM for 1996, in October, will provide an opportunity for new appointments to the Committee.

STEP has always had a very strong and balanced Committee, which has been renewed as members resigned after some years service.

A few weeks ago Andrew Skidmore resigned from the Committee, as he had accepted an overseas academic post. Our past President, John Burke, has now also indicated that after many years of dedicated service he will not stand for reelection.

Committee members assist with the work of STEP according to their skills and interests, and no onerous demands are placed upon new recruits.

Almost any skills can be put to use: research, secretarial, publicity, function organising, helping with the display at community events, public speaking, despatch and delivery of the Newsletter etc.. You can maintain a low profile or take on a more prominent role in promoting STEP's objectives.

The Committee meets once a month and meetings are interesting and with only the necessary formality. If you would like to help promote STEP's objectives, and protect our bushland environment, ring one of the Committee members.

ANNUAL GENERAL MEETING

Special Resolution

A special resolution will be moved at the AGM to modify STEP's Constitution to the effect that any donations to STEP will be tax deductible for donors.

The text of the proposed changes is too long to be given in full in the body of this Newsletter, and is therefore set out on the enclosed leaflet, which also explains the alterations in a preamble.

Official notice is hereby given of the proposed resolution, in accordance with the Constitution. If there are any questions regarding this resolution, please call Hugh on 9144 1353 or Bruno 449 1985

STEP POSITION PAPER. THE ENVIRONMENT OF KU-RING-GAI: THE NEXT FOUR YEARS:

In the last Newsletter we reproduced portion of this position paper covering Vision and Objectives and Sections 1 to 3.

We now bring you the remaining Sections 4 to 6:

4 Mona Vale Road

Mona Vale Road is an example of inappropriate development which is happening now. There are many other inappropriate developments within the municipality, for example the Canoon Road netball courts where all the traffic problems predicted by STEP and the residents have eventuated.

We believe that commercial strip development along Mona Vale Road is undesirable and that the Mona Vale Road corridor should be preserved as an essentially bushland landscape because:

- a) the amenity of the metropolitan area will be enhanced for ever by having a natural landscape between the built up areas of St. Ives and Terrey Hills;
- b) the Mona Vale Road ridge is the last remaining essentially natural ridgetop left which drains into Port Jackson;
- c) the two national parks situated either side of Mona Vale Road will be degraded by continuing development; and
- d) the bushland is valuable in its own right.

Over the last 100 years or so there has been incremental development along Mona Vale Road. First the quarries and then the Showground, the Tree Lopping Tip, the Police Driver Training Centre, the Service Station and the Council Nursery. There is now the relocation of the St. Ives Bus Company to the corridor and of course there were proposals not long ago for a crematorium.

We must appreciate that we are being invited to participate in a process which will see the whole corridor dominated by commercial

strip development before too many decades are gone. The pace of change is so slow and so clothed in seductive terms (eg. who cannot be in favour of a bus service or a recycling depot) that no one is aware that our amenity is being stolen bit by bit by government, firms and individuals with their own short term objectives.

The most immediate threat is the bus depot where a free enterprise firm has won the right to relocate on public land. This move has been dressed up in the need for a bus service and the alleged inadequacy of the present depot on the much more valuable Pymble real estate. In our view the St. Ives Bus Company should locate on appropriately zoned commercial land such as it now has at Pymble or such as is doubtless available towards Terrey Hills. In the event that the company decided to shut down then we would see that as a normal event in our free enterprise society. It would of course be replaced by another firm because business really does abhor a commercial vacuum.

Council has opposed the relocation of the St. Ives Bus Company but has recently lost in the Land and Environment Court. We hope that this loss on narrow legal technicalities will not be allowed to obscure the principles behind Council's position. We propose that Council continue to oppose the bus depot and any other proposed development and to support the inclusion of all the corridor bushland within the national parks.

5 The Development of an Australian Streetscape

The settlers in Australia 200 years ago found the Australian environment hostile and foreign. They naturally tried to recreate European landscapes and it was not until relatively recent years that it became generally acceptable to reject the botanic and style cringe which has characterised our cities. In Ku-ring-gai we have also had dabbling by mayors and councillors in the

NOTICE OF PROPOSAL TO MOVE SPECIAL RESOLUTION AT STEP'S ANNUAL GENERAL MEETING, IN ORDER TO ALTER STEP'S RULES TO OBTAIN TAX DEDUCTIBILITY FOR DONATIONS AND UPDATE CERTAIN REFERENCES

As mentioned in the Newsletter, STEP's Annual General Meeting for 1996 will be held on **Thursday 17 October 1996, at 8.00 pm, at the Kissing Point Sports Hall, Aluba Road, South Turramurra.**

Alteration of STEP's Rules

It is proposed at the meeting to move a special resolution to alter STEP's rules. The text of the alterations is set out below.

Purposes of alterations

The main purpose of the alterations is to entitle people making donations to STEP to claim a deduction of the amount of the donation for income tax purposes. That involves amending STEP's rules to make them conform to Commonwealth tax legislation allowing donations to certain organisations to be deducted.

The other purpose is to update references in the existing rules to the State authority which administers the Associations Incorporation Act 1984, under which STEP is registered as an incorporated association.

Alterations to seek tax deductibility of donations to STEP

The Income Tax Assessment Act 1936, s.78, allows people making gifts to certain organisations to deduct the gifts from their taxable income, subject to government economic policy. To be such an organisation, STEP would need to be placed on a Register of Environmental Organisations which is kept under s.78AB and which is maintained by the Minister for the Environment. The registration must be in place at the time the gift claimed to be deductible is made.

The conditions of registration of an organisation are set out in s.78AB(2). So far as relevant to STEP, the conditions are as follows:-

- (a) the organisation's principal purpose, or each of its principal purposes, must be an environmental purpose;
- (b) it must not pay any of its profits or financial surplus, or give any of its property, to its shareholders, members, beneficiaries, controllers or owners, as the case requires;
- (c) it must have a public fund (the "gift fund"):
 - (i) to which gifts of money or property for its environmental purpose or purposes are to be made; and
 - (ii) to which any interest on money in the fund is to be credited; and
 - (iii) to which money derived from the property given to the fund is to be paid; and
 - (iv) that does not receive any other money or property; and
 - (v) that is used only to support the body's environmental purpose or purposes;
- (d) it must have rules relating to its gift fund which provide that, in the event of the winding up of that fund, any surplus assets are to be transferred to another fund that is on the Register of Environmental Organisations;
- (e) it must agree to give to the (Commonwealth) Environment Department, within a reasonable period after the end of each financial year, statistical data about gifts to its

- gift fund during the financial year;
- (f) it must agree to comply with any rules made from time to time by the Environment Minister and the Treasurer to ensure that gifts to its gift fund are used only to support its environmental purpose or purposes;
 - (g) it must have a policy of not acting as a mere conduit for the donation of money or property to other organisations, bodies or persons;
 - (h) there must be at least 50 members of the body who are:
 - (A) natural persons; and
 - (B) regarded as financial members; and
 - (C) entitled to vote at a general meeting of the body.

STEP's Committee considers that STEP would satisfy these conditions if the proposed alterations were made to its rules. The alterations have been drafted in the light of model provisions issued by the Commonwealth authorities.

Text of the proposed alterations relating to tax deductibility of donations

Clause 2 of STEP's rules sets out the objects of the Association. It is proposed to alter Clause 2 by adding the following object in a new paragraph (ja):-

- (ja) To set up a gift fund, to be known as the "STEP Environment Protection Fund", under the constitution and rules of the Association, for the environmental objectives set out in this Clause, and in particular those set out in paragraphs (a), (b), (c) and (d) of it. The STEP Environment Protection Fund must comply with section 78AB of the Income Tax Assessment Act 1936.***

Clause 7 of STEP's rules deals with general meetings. Paragraph (d) provides what is to be included in the business of Annual General Meetings. It is proposed to alter paragraph (d) by adding this item in a new sub-paragraph (v):-

- v) receipt and consideration of a statement from the Committee which is not misleading and gives a true and fair view for the last financial year of the financial operations of the STEP Environment Protection Fund referred to in paragraph (ja) of Clause 2, including the statistical data provided under paragraph (m) of Clause 10A, of this Constitution.***

Clause 9 of STEP's rules deals with special resolutions. It is proposed to alter the Clause by adding the following paragraph:-

- (c) A special resolution may not be proposed that would be inconsistent with paragraph (i) of Clause 10A, relating to the transfer of any surplus assets of the Fund referred to in that Clause in the event of any winding-up of the Fund.***

It is proposed to add a new Clause 10A to STEP's rules, dealing with the proposed STEP Environment Protection Fund:-

10A. THE STEP ENVIRONMENT PROTECTION FUND AND ITS RULES

- (a) *The environmental purpose of the Fund referred to in paragraph (ja) of Clause 2 is to support the environmental objects of the Association.*
- (b) *The Fund will be used only to support the Association's environmental purposes.*
- (c) *Members of the general public are to be invited to make gifts of money or property to the Fund for the environmental purposes of the Association.*
- (d) *Money from interest on donations, income derived from donated property, and money from the realisation of such property are to be deposited into the Fund.*
- (e) *The Fund must not receive and other money or property, including corporate sponsorship money, and gifts to it are to be kept separate from other funds of the Association.*
- (f) *A separate bank account is to be opened to deposit money donated to the Fund, including interest accruing thereon.*
- (g) *Receipts are to be issued in the name of the Fund and proper accounting records and procedures are to be kept and used for the Fund.*
- (h) *The Fund will be operated on a non-profit basis. None of the money or property accumulated by the Fund will be distributed to members of the Association apart from proper remuneration for administrative services.*
- (i) *In the event of the winding up of the Fund, any surplus assets are to be transferred to another fund with similar objectives that is on the Register of Environmental Organisations referred to in the Income Tax Assessment Act 1936.*
- (j) *The Fund will be administered by a committee of management of no fewer than three persons. The committee will be appointed from time to time by the Committee referred to in Clause 6 of this Constitution, and is to include the Treasurer for the time being of the Association. A majority of the members of the committee of management of the Fund are required to have the requisite degree of responsibility to the general community, that is, persons who, because of their tenure of some public office or their position in the community, have a degree of responsibility to the community as a whole as distinct from obligations solely in regard to the environmental objectives of the Association.*
- (k) *Any changes to the membership of the committee of management of the Fund are to be advised to the Department of the Environment, Sports and Territories within a reasonable time following the making of the changes.*
- (l) *Any changes to these rules of the Fund are to be advised to the Department of the Environment, Sport and Territories within a reasonable time following the making of the changes.*
- (m) *Statistical data about gifts to the Fund during the financial year will be provided to the Department of the Environment, Sport and Territories within four months after the*

end of the financial year and in the form required by the Department.

Clause 11 of STEP's rules deals with miscellaneous matters, including the distribution of surplus property should STEP be wound up. It is proposed to alter the Clause by adding the following paragraphs (h)-(j):-

- (h) Paragraph (d) or (g) of this Clause does not authorise the proposing of a special resolution that would be inconsistent with paragraph (i) of Clause 10A of this Constitution, relating to the transfer of any surplus assets of the Fund referred to in that Clause in the event of any winding-up of the Fund.*
- (i) Any allocation of funds or property to other organisations or persons will be made in accordance with the objectives of the Association and not be influenced by the expressed preference or interest of a particular donor to the Association.*
- (j) The provisions of paragraph (ja) of Clause 2, sub-paragraph (v) of paragraph (d) of Clause 7, paragraph (c) of Clause 9, Clause 10A, and paragraphs (h) and (i) of this Clause 11 of this Constitution, operate only during the period in which the Association is registered on the Register of Environmental Organisations referred to in the Income Tax Assessment Act 1936; but the provisions of Clause 10A relating to the winding up of the Fund referred to in that Clause shall apply until any winding-up of that Fund is completed.*

Alterations updating references in rules to State authority administering Associations Incorporation Act 1984

When STEP was registered as an incorporated association under the Associations Incorporation Act 1984 of NSW, the authority administering the Act was the Corporate Affairs Commission. The rules (Clauses 9(b)(v) and 10(d) and (e)) contained reference to that Commission. Now the authority is the Commissioner for Consumer Affairs.

Text of updating alterations

To update the references, it is proposed in each of the Clauses just mentioned to substitute reference to -

"the Commissioner for Consumer Affairs or other authority for the time being having the relevant function under the Associations Incorporation Act or regulations".

These alterations are unconnected with the alterations relating to tax deductibility of donations.

development of our streetscapes. A good example of this is the planting of Liquidambers along the bushland setting of the Comenarra Parkway. We ask you to consider that foreign plants may not be appropriate for our streets and that European and Asian notions of neatness and style need not be compulsory. Lawns consume huge amounts of water and kerb and gutters only increase the pace of runoff.

The development of streetscape standards which reflect the Australian environment, our plants, our climate, our vulnerability to nutrients and our shortage of water would be a wonderful contribution to Ku-ring-gai and an example for the wider community.

6 Freeways and Roads

Years ago we argued against freeways and some other roads on the qualitative basis that they would destroy bushland but never dreaming that there were strong quantitative arguments as well. Nor did we dream that the road building that did go on would supply us with such conclusive proof of its own futility. Yet what is conclusive to us is obviously not conclusive to everyone. This is a short document and the whole traffic question cannot be canvassed but we shall do what we can.

Ku-ring-gai is mainly threatened by external demographic forces.

Population increases on the Central Coast and in the North West Sector are having a huge impact. Any major development on the Northern Beaches would also impact in our area. We rightly resent the cars pouring through from places such as Cherrybrook and Tuggerah.

The Pacific Highway from Wahroonga to Roseville has been tinkered with so that it carries much more traffic than previously and the upgrading of Pennant Hills Road is at last complete, the Comenarra Parkway has become busy and Arterial Road has been upgraded so that it carries much more traffic more safely. And yet the cars keep

flooding in.

The RTA has reported that as a result of the opening, at Easter 1989, of the F3 at Pearce's Corner the daily traffic on the Pacific Highway north of Mona Vale Rd increased 38%. The RTA says that "Prior to the opening of the F3 freeway to Wahroonga traffic was growing at 2-3% per annum. Between 1991 and 1993 traffic grew at 5% per annum." This is a doubling every 15 years. The only conclusion to be drawn is that rather than allowing the previous number of cars to travel more freely the F3 immediately attracted huge numbers of new cars on to the roads. These cars are spilling through the suburbs of Ku-ring-gai as they seek to find ways around the congested Pacific Highway.

The RTA, and many people, believe that the answer is more roads. They would build the Lane Cove Valley Freeway to link the F3 with the M2 at North Ryde (*Note: This has fortunately been scuttled since this paper was written Ed.*) and they would build off-ramps from the F3 at Hornsby to feed through Wahroonga and St. Ives onto the Arterial Road. The RTA even wants to build a major off-road from the M2 along Delhi Road into Roseville and Chatswood. In the background we of course have the road builders and other, perfectly legitimate, vested interests who would leap at the opportunity for more business and more tolls. Not one shred of evidence has been offered to the community which shows that more roads will lessen congestion. Nor are the road apologists and promoters able to deny that these roads produce demographic changes which defeat the stated purpose of reducing congestion. The benefits which do flow are off-peak benefits but, as the peak "hour" extends over larger portions of the day, even these are becoming of less use.

(Paragraph relating to the LCVF deleted here. Ed.)

It is valid to ask what is the answer

to our traffic problems. Surely something can be done. Groups such as STEP are sometimes accused of always opposing and never promoting. The answer to our problems may lie in several areas. There is no doubt that better public transport will attract people back, there is no doubt that decentralisation (within the greater metropolitan context) will allow people to live closer to their work and recreation. But these are only short or medium term palliatives. The longer term solution must include a stable population for the Sydney area so that any transport improvements are dedicated to solving problems rather than creating future problems.

What is certain, however, is that if we allow ourselves to be seduced by the platitudes and promises of the RTA and the road proponents we shall irreversibly turn Ku-ring-gai into a grid-locked, car bound area while destroying both our built and natural environment. We deserve better for ourselves and for future generations. We deserve a better response from the planners. We hope that Council will insist that we get it.

RATES AND LEVIES

Some three years ago we commented about the prevailing thrust at all government levels to reduce taxes and rates, and asked whether we as a community had reached the stage where we need to face up to the costs which conservation of our unique Ku-ring-gai heritage imposes. The capping of rates by our State Government has the benefit of forcing tight financial management on Council, which is to all rate-payers' advantage. It does, however have the downside that even if Council perceives special need outside of the services, which it is expected to deliver, it does not have the flexibility to raise extra revenue through rates. Rate revenues reflect property values, which in turn reflect the environment created by our extensive bushland areas. Higher property

RATES AND LEVIES (Continued)

values create expectations of better standard of civic facilities and infrastructure maintenance, and this arguably absorbs the financial resources in the same way as in other municipalities. This tends to leave Ku-ring-gai short of the resources to deal with environmental works, which are necessary to maintain our natural assets, and to pursue the many environmental initiatives, which the community clearly perceives as desirable.

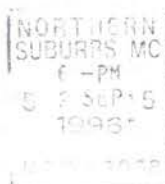
Ku-ring-gai Council's environmental vision and policies are excellent, but frequently the resources, which Council is able to their implementation fall far short of requirements.

Additionally, the approach of the year 2000, with its projected flood of Olympic visitors, will require all aspects of our area's tourist destinations to be not only in first class condition, but also in robust condition to ensure that the onslaught of tourists does not degrade these natural assets.

We would suggest that the time is ripe for an environmental levy to provide funding for environmental works.

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Financial to July 0

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DIARY NOTES

Ku-ring-gai Council's Community Fair will be held on Sunday, 22nd September, 1996, between 10.00 am and 4.00 pm at Bicentennial Park, Pymble. Lots of stalls, entertainment, food and displays and everybody will be there.

For our next talk, in November, we have invited Walter Boles from the Australian Museum to speak on a topic connected with birds.

The time, date and venue will be advised in the next Newsletter.

We are planning to have a pre-Christmas barbecue at Leuna Ave., Wahroonga.

Last year's was a nice get-together at a very pleasant venue, but we hope more members and friends will find the time to attend this year. Details in the next Newsletter.

MEMBERSHIP SUBSCRIPTIONS

This is the time of year when membership subscriptions become due. We accidentally omitted the invitations to renew from our last Newsletter, but enclose them in this issue. Your membership is vital to the continued success of STEP, and as you well know, there are issues aplenty, which need action by STEP, and that needs your support.