

30/1/94

Hugh Webster re Webbin SA.

no Review

Usage
NSW Community Management Land Act. = Strata Title.

Conal & Doug Hammond.

lots (families)

60 x (1/2-1 ac) over 3,500 ac
Freehold + share balance.

LEGAL HOTSHOT NOW IN BYRON BAY

ONE of Australia's leading criminal defence lawyers is to hang out his shingle in Byron Bay.

John Weller became something of a legend in Victorian legal circles in the 1970's and 80's during the heady days of Melbourne's Painter and Docker wars.

His courtroom brilliance and a reputation as a fearless fighter made him the first choice of many of Australia's most infamous criminal identities.

He appeared in a number of high profile murder trials, and in the mid 1970's, he set a legal milestone when he won 42 consecutive courtroom acquittals.

He also made legal history in 1973 when he represented the first unmarried father ever to successfully sue his ex de facto wife for child maintenance.

Mr Weller is no stranger to controversy and has been an outspoken crusader in a number of causes in which he has believed.

He campaigned for the anti-hanging lobby when Ronald Ryan (the last man to be hanged in Australia) was executed in 1967, and he was a major voice in the campaign to have police interviews with suspects tape recorded.

Environment Court in support of multiple occupancy and community living applications by North Coast residents.

until now his appearances in North Coast courts have been limited, but his successes here include winning a good behaviour bond for a man caught cultivating 4000 marijuana plants, and another good behaviour bond for a 70 year old man charged with murder.

Mr Weller has now teamed up with Byron solicitor Steven Reeves and he can be contacted through Reeves & Co's Byron Bay office on 85 6565.



Weller and Reeves outside the new Byron Bay Courthouse.

NS 21-12-93

Hamlet gets the go-ahead for electricity plan

While the debate about proposed routes for a new 132kV power line planned for the region rages on, one local electric's company has received permission to implement a plan that it believes could negate the need for the new line.

Essex Electrics has successfully lobbied Northern Rivers Electricity to reinterpret national guidelines and allow an innovative electricity-demand management system to be set up at the Jarlanbah Permaculture Hamlet, near Nimbin.

The company argued that the hamlet should be treated as a single development rather than a set number of individual houses.

This will allow standard electricity to be distributed to a central point, from where it can be broken down before reticulation to individual houses.

The system will allow households to choose either a supply sufficient to run most household appliances or a lower-voltage supply to provide a backup to individual solar energy systems.

Essex Electrics will hold further negotiations with the NRE to discuss a plan that would allow the hamlet to develop its own community-based alternative system, which would use the State power grid as a back-up and supply its excess electricity to the NRE for sale.

The managing director of Essex Electrics, David Walker, said power utilities throughout Australia were becoming aware of the enormous economic benefits of demand management.

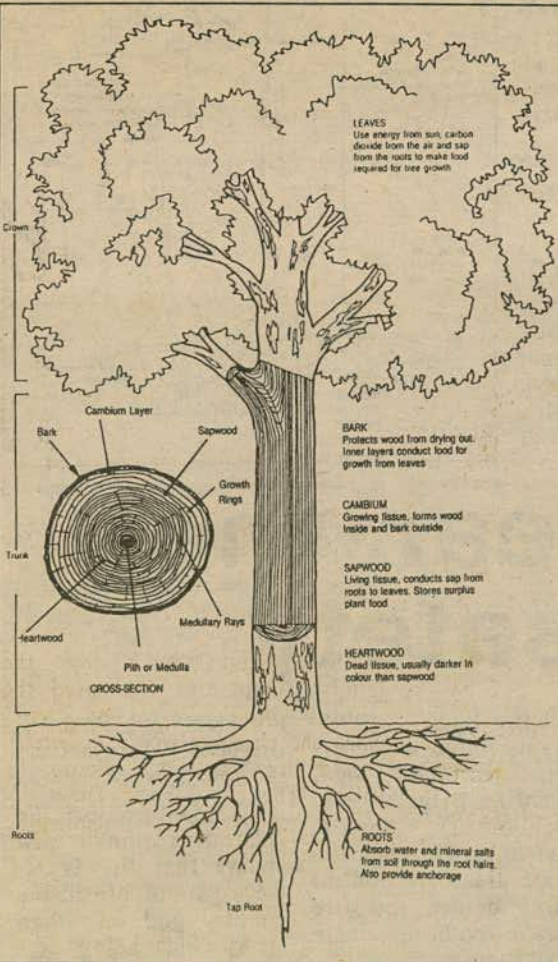
He said it was often cheaper for utilities to educate and even subsidise their customers to use less electricity than to build new power stations.

MS-22-17-93

TIMBER



Wood a major asset for the whole world



For many thousands of years wood has been an invaluable asset for most of the earth's population.

A tree creates its nutrients by photosynthesis, which is the formation of sugar from carbon dioxide and water in the presence of sunlight.

It takes place only where there is chlorophyll, the green colouring matter in leaves.

Water and minerals in solution are absorbed from the soil by the fine hairs on the roots and transported by the sapwood, which is immediately beneath the cambium layer and bark, to the leaves.

Carbon, a basic element in all plants, is obtained from carbon dioxide in the air.

Entering through minute apertures called 'stomata' on the underside of the leaves, the carbon dioxide is broken down by chlorophyll with the aid of sunlight.

The carbon combines with the water from the roots, while oxygen is returned to the air.

The food, which is manufactured in the leaves, is transported down the inner layers of the bark cells (phloem), providing the living cambium cells with materials for the formation of new wood and bark.

On its way down some of the food material also reaches the living wood cells immediately inside the cambium layer by means of special cells called 'medullary rays' or 'ray parenchyma', which are produced for this purpose and also for food storage.

A ringbarked tree will eventually die as the food from the leaves cannot pass down through the inner layers of the bark to the roots.

If the sapwood also is severed, the tree will generally die more quickly.

A tree grows in two ways:
in height;
in girth or diameter.

Growth in height is due to the division and growth of numerous special cells at the extreme tips of the trunk

and branches.

Once the wood is formed it does not grow in length or height.

Growth in girth is brought about by the division and growth of the thin-walled cells of the cambium layer, which, very thin and invisible to the naked eye, lies just beneath the bark.

Parts of the tree

The pith is the heart or centre of the tree and serves to store food in the young tree.

It is usually darker in colour than the other wood in the tree and frequently rots out, sometimes causing 'piping'.

The sapwood (or xylem), usually light in colour, contains living cells, some of which conduct water and mineral salts from the roots to the leaves, while others form the medullary rays (or ray parenchyma), whose purpose is to store plant food, mainly in the form of starch.

Sapwood has three main functions in the living tree: support, conduction and

● Continued next page

On the right side of the law

By Andrew Sochacki,
solicitor, Mullumbimby

The new dividing fences law looks at the cost of a dividing fence and how it is shared between adjoining landowners.

Quite often one owner wants to erect a dividing fence or wants certain work done on an existing dividing fence and the other owner does not.

The law sets out the minimum requirements and owners are free to agree to arrangements above those require-

ments.

By definition, a divided fence is a fence that separates the lands of adjoining owners.

The fence, it must be remembered, may be a structure of any material; indeed, it may be a ditch or an embankment or a barrier such as a row of trees or a trimmed edge.

It must be remembered that the cost of a dividing fence includes the cost of all related fencing work, such as preparation of the land, design, construction, replacement, repair and maintenance of the dividing fence.

Before erecting a new dividing fence, and this is important, an owner must contact the local council regarding a building approval.

The adjoining landowners must share, equally, the cost of fencing work that will result in a 'sufficient dividing fence'.

Sufficient dividing fence is a fence sufficient to separate the properties.

As an example a paling fence or a brick fence in a residential area and a five-strand barbed wire post fence in rural areas.

If one owner wants a fence of a higher standard than a sufficient dividing fence, that owner must pay the difference in cost between the fence he or she wants and a sufficient dividing fence.

If an existing dividing fence

is damaged or destroyed by one owner or someone on the owner's land, that owner is liable up to the whole cost of restoring the dividing fence.

Any money which an owner is required to pay under the Dividing Fences Act may be recovered as a debt in court.

It is important that an owner wanting an adjoining owner to share in the cost of a sufficient dividing fence must first give or send a Fencing Notice which may be obtained from the local council, to the adjoining owner. The owners must share in the cost once agreement is reached.

However, if it does happen that there is no co-operation from an adjoining landowner within one month of the notice being served either owner may apply to a Local Court or local Land Board to have the matter decided.

If urgent fencing work is needed on a dividing fence which has been destroyed or damaged, adjoining owners must share equally the cost of that urgent work even though a Fencing Notice has not been served.

Reasons for urgent fencing work include safety and security.

An owner can apply to the Local Court or the local Land Board for an order about costs if a Fencing Notice is unable to be served because the where-

abouts of the adjoining owner are unknown.

Finally, an owner who is carrying out fencing work under the new law is able to enter

the adjoining land for that purpose at any reasonable time.

This also applies to the owner's employees or agents. One must, however, tread very carefully so as not to commit trespass in the guise of entering property to erect a sufficient dividing fence.

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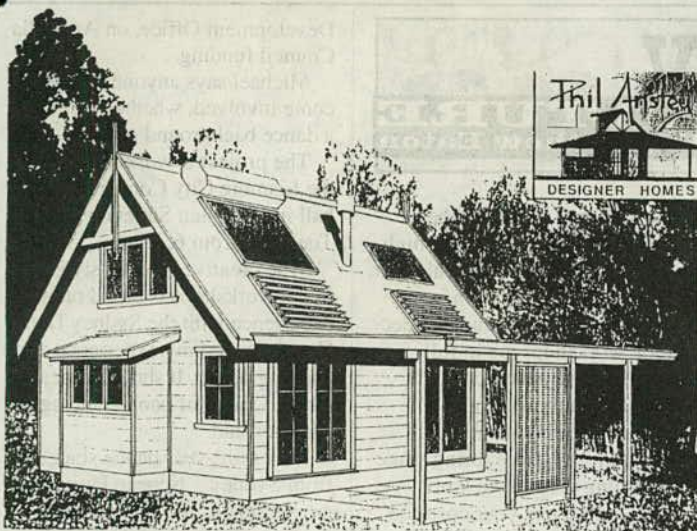
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The 'Mayflower', an example of the enviro-solar houses that may be built on the Jarlanbah Hamlet development, from Phil Anstey Homes.

skirts of Permaculture principles in order to gain local approval.

'If you want to do anything commercially that is going to succeed, you have to pitch it to the market,' John Hunter said.

'We've spent \$20,000 to forge some community agreements. A traditional development would have cost less; but it would not have got through in Nimbin.

'I see it in market terms. There is a demand for this sort of development. You just have to walk the tightrope of community opinion - it's essential to go through that process.'

But is Mr Hunter just a cynical land developer? Or is his heart in this project?

'Obviously I wouldn't be doing it if I didn't believe in it,' he said.

Breaking new ground: a legal challenge

Wroth Wall, of O'Moore Hertzberg, and Brad Heydon, of Stone and Partners, were involved in the legal aspects of the Jarlanbah proposal. Below, they summarise the challenges they faced:

The Jarlanbah Permaculture Hamlet offered up some unique legal challenges, for the first time in New South Wales a village was being planned using the principles of permaculture under the new Community Title legislation.

The new legislation provides for members of the community having freehold title to their own lots as well as a constitution or management statement which may enshrine the theme of the development and the means by which the aims and objectives of the community can be put into practice.

By applying the principles of permaculture in this development, provision has been made for building and landscape standards, waste recycling and sewerage disposal both on common property and on individual allotments.

The project has created common areas with various uses including a sustainable agriculture area (for use as food and market gardens), a reforestation area (for reforestation using endemic rainforest species), a water area (for water catchment, storage and reticulation), a woodlot area (for the supply of firewood and timber) and open space areas. By-laws relating to the use of each of these areas have been drafted into management statements and cannot be changed without at least 75 per cent of the landowners agreeing or by Court Order.

The creation of a village of this nature has broken new and exciting ground.

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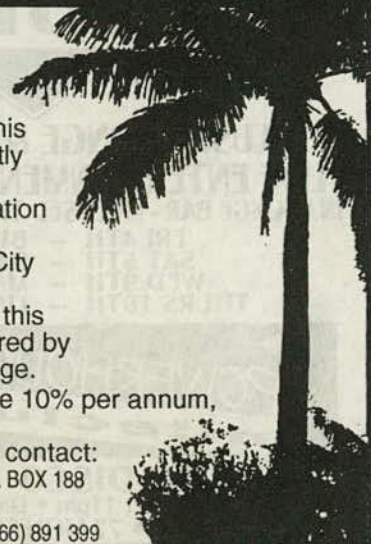
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INVESTMENT OPPORTUNITY

- A partnership is being formed to part finance this project, which is presently debt free.
- A development application for the project has been approved by Lismore City Council.
- All funds advanced by this partnership will be secured by a registered first mortgage.
- Investors returns will be 10% per annum, fixed, paid 6-monthly.
- For further information contact:
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NIMBIN NSW 2480
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The rites of spring

This year's Spring Arts Ball is the third annual creative extravaganza let loose by the Lismore Arts Alliance.

In the tradition of the genuine artist's costume ball, Saturday September 19 is the big night where some of the cream of the region's visual and performing artists will showcase their talents. Sheer good fun will be elevated to

a fine art form. Certainly the Spring Arts Ball will be the high point on the year's social calendar.

The Arts Alliance team is strong this year; costume and decoration workshops are in full swing. Anna Wojak's costume workshop continues every Saturday from 1-4pm at the Christian Life Centre (bring some old clothing discards to work with). Don't leave your costume to the last minute - you'll look like a dork without one.

Underneath all the sparkle and celebration is a worthy cause. The alliance consists of artists of dif-



Portrait of the artist as a martyred faery queen - self-portrait of costume workshopper Anna Wojak.

ferent persuasions working long and hard as volunteers to provide fellow practitioners a showcase. Funds raised go to the Northern Rivers Cultural Centre Foundation to continue its efforts to improve opportunities and facilities for local artists and performers.

This year the foundation intends to buy computer and communications equipment for use by artists in improving promotion of their work and its marketing.

With the coming renovations and extensions to the Lismore Regional Art Gallery, which has helped to coordinate each Spring Arts Ball, an artist access room will be provided where the equipment is to be installed and available for use.

Now dance!

Former Sydney Dance Company performer Michael Hennessey is on the north coast conducting a series of workshops to have local feet moving 'as a means of self expression'.

The Dance Now project is the work of the Regional Arts

Development Office, on Australia Council funding.

Michael says anyone can become involved, whether they have a dance background or not.

The project is working out of the Lismore City Concert Band hall in Magellan Street on Tuesdays from 6.30pm.

'The creative modern style used in the workshops is based on my experience with the Sydney Dance Company and my experience as a choreographer. It should appeal to a broad range of people and ages,' Michael said.

Four third-year dance students from Sydney's Nepean University are helping as the community dance component of their studies.

Similar classes are being held at a multitude of north coast towns. They hope to draw out expressive ideas with a local flavour and put them in a final performance, drawing people from all areas, in a dance gig called Reacquaintance. That will probably be held in Byron Bay.

Dance Now has only just started in Lismore. Anyone else interested can turn up on Tuesday or inquire at Norart on 21 6353.

Tribal voices sing

They've toured the United States, Europe and the UK, playing in front of more than 500,000 people. Following this success, Yothu Yindi is taking to the Australian countryside and will perform at Lismore Workers Club on Thursday October 1. *The Boston Globe* described them thus: 'One of the most smoothly paced and fascinating cross-cultural concerts to hit town this year.' Basically they're hot; tickets at the Workers, get in quickly. As an added attraction on this tour, Deborah

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EDITORIAL

The Jarlanbah Hamlet Permaculture community development at Nimbin has not had an easy passage through the choppy seas of local debate. As developer John Hunter said this week 'even an elephant has a shorter gestation period'.

Mr Hunter, choosing as he did to settle in Nimbin and invest in land, might have found it easier simply to buy the land, subdivide it and sell it in lots, the way that developers do: that is one of the ways in which human beings go about providing themselves with house sites.

But recognising that Nimbin is a special place, Mr Hunter got together with some other people to try and do a special thing. It may be that he had in mind the philosophical characteristics of the district, and that he decided to colour his special thing green in the hope of gaining wider community approval for it.

Special things usually take longer and cost more, but he and Permaculture designer Robyn Francis believed that Nimbin was the perfect place in which to create the first-ever community title development in New South Wales. It's not the first time that Nimbin has been the birthplace of changes to land development laws; multiple occupancies were born here in the '70s, while the Nimbin Homebuilders' Association had a powerful effect both on building density regulations and on building codes in this State.

We are all familiar with the tension between those who would develop at all costs and those who would prefer that human beings somehow should subsist surreptitiously in the natural environment, making no mark upon it.

At one end of the scale there have been developers whose projects have given land development a bad name; there exists always the risk that what's advertised in the glossy brochure as your chance to buy a piece of paradise will turn out to be a cynical attempt to make a fast buck out of a swamp.


At the other end of the scale there are those who have come to settle at Nimbin and elsewhere trumpeting their special spiritual connection with the land, and gravely asserting that their husbandry of it will support them and their families in perpetuity while having no ill effect on the environment; yet whose land even after many years is still unproductive and weed-ridden, a hazard for fire, flood and erosion and a graveyard for cars and other junk.

In the case of Jarlanbah Hamlet, John Hunter has voluntarily entered into a lengthy and expensive period of community agreement-forging intended to facilitate the airing of reservations about the project.

Such concerns as were presented, in the form of submissions, have been considered; due process has been observed. The time now has come for goodwill and trust to come into play.

Permaculture expert Robyn Francis has staked her not inconsiderable reputation on this project; she would never have given her name to it if she thought that the Permaculture principles enshrined in its formation were not going to be strictly observed.

Jarlanbah Hamlet is an innovative and thoughtful way of allowing for the inevitable expansion of the Nimbin community. It is deserving of support and enthusiasm, and an easier passage through to completion than has hitherto been the case.


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11/5/91

Rob.

Re new L.G. Act.

The local Building Inspector has said that he
reads the new Act as providing retrospective
building approval on condition
viz retrospective once approved,
Council could later require - as
as no condition additional work to be
done.

I suspect this is correct reading, but
if it is correct it could be dynamite
for anything to B1 re mo buildings!

Retrospectivity may be referring to
"deemed to comply provisions"
and/or present status in respect to safety
health eg on build that has
become structural unsafe.
of s. 317A Cont.

An environmentally friendly water repellent to impregnate mud bricks, developed by the Building Protection Science Unit at the Victoria University of Technology, is helping to accommodate homeless people in Pacific rim countries while at the same time significantly cutting down on the production of greenhouse gases.

The director of the unit, Dr Doug Kagi, said the polymeric material had been used to construct earthen houses for Project Wokim Haus in Port Moresby, where it is estimated one third of the 170,000 population lives in 'squatter' settlements around the outskirts of the city.

Some cities have millions of people in slums, people who have moved in from rural areas seeking education and a better lifestyle but who are forced to scavenge for scrap material to build 'houses' to shelter from monsoon rains as the cost of access puts standard building materials out of reach.

Dr Kagi said the use of water-based water repellent enabled earth walls to be built and then made durable by impregnation of the finished surface.

Earth-friendly water repellent for mud bricks

"You could build with materials on the site and you won't have to pay so much for your walls."

He said that generally, villagers and townspeople in India, South America, China, South East Asia and the Pacific would prefer their houses to appear like those in the West and, so the people who have the economic means, choose to build with high quality brick or concrete rather than earth.

He said the production of bricks required burning either fossil or agricultural wastes which made a significant contribution to the Greenhouse Effect.

"The firing of bricks increases the strength and durability of the brick and decreases the water absorption," Dr Kagi said.

"Concrete requires the manufacture of cement which requires heating limestone and clay at 1450 degrees centigrade, so the limestone is

converted to calcium oxide and carbon dioxide.

"For every 1000kg of calcium carbonate used, 440kg of carbon dioxide is produced."

Dr Kagi said the production of carbon dioxide raised the question of the economics of emulating western building practices in these countries, because of the millions of people who required housing.

"For the production of bricks and concrete, energy intensive activities are undertaken, resulting in carbon dioxide production," he said.

"In the case of cement production, the demand for cement world-wide is 800 million tonnes per year.

"Assuming 500 million tonnes of limestone are used for this purpose each year, then more than 220 million tonnes of carbon dioxide are emitted into the atmosphere

from cement works alone."

Dr Kagi said the ideal would be to use on-site natural materials to obtain the durability of a high temperature fired-brick construction, but the problems of water absorption, erosion due to rain, cracking, rising damp and low thermal insulation, characteristics of un stabilised soils used for earthen building blocks, had to be addressed.

"Stabilisation of soil can overcome some of these problems, however, the use of cement, the mixing problems and the correct choice of sand and clay, remain a practical deterrent," he said.

The product is being tested in India and at the International Centre for Earth Construction at Grenoble, France.

A version of the water repellent has been used successfully in Australia for several years. It was used on the earth built Koorabyn Resort Hotel in Queensland which has since survived cyclone activity.

For further information on protecting earth-walked buildings, write to the Building Protection Science Unit at the Victoria University of Technology, PO Box 64, Footscray, Victoria, 3011.

NS 4.4.92

0/NS 4.4.92

Nimbin subdivision a glimpse of the future

A new type of subdivision claimed to be a model for town planning in the 21st Century will go on display today in Lismore and Nimbin.

The project is made possible under the NSW Community Titles Legislation, under which people who buy a block also buy shares in community land.

It is claimed to be the first of its type in Australia.

The first stage of the development is a \$5 million, 43-block venture called Jarlanbah. Blocks range from 0.2 hectare to 0.3 ha and are priced from \$40,000.

The theme of Jarlanbah is permaculture — living in a way that does not harm or destroy any natural asset so that it can be handed on to future generations.

When people buy at Jarlanbah, they also have access to 10 ha of community land.

This includes proposed land for agriculture, recreational areas, a community hall, a dam system, a bore and a rainforest corridor.

People who decide to live in the community will be required to follow environmental guidelines.

Most things will be recycled, from laundry and bathing water to bottles and cans.

The recycled water will be used as irrigation for gardens, with the dam system as a back-up. Likewise a bore will back up house tanks.

Kitchen scraps will be used as compost and a community recycling area is planned for bottles and cans.

Mr John Hunter, manager of developer Earthcare Projects, said this form of community development was different from multiple occupancies because owners had separate titles to land.

"People who buy at Jarlanbah will also have a strong dedication to making sure it works: They will be under the spotlight, being the first to try this way of living," he said.

"The conservation guidelines will be enforced."

These guidelines also include solar hot water and home insulation.

Houses must also be designed and sited to be cool in summer and warm in winter.

Although solar-powered electricity is encouraged, the development will be connected to the mainstream power grid.

Mr Hunter said the development would provide many advantages to Nimbin.

"The local food shops can't keep up with the demand for organically grown food," he said.

"Eventually, the community of Jarlanbah will be able to sell some of the food it produces, creating spin off industries and jobs.

"People from all around Australia have expressed interest in the project. They are looking for something different, a way to live now which will ensure a better quality of life for the future."

Lismore City Council has called for public comment on the proposed development.

NS 4-5-92