Ordinance No. 71.

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Local Government Act, 1919.

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ORDINANCE No. 71.

[As proclaimed in the Government Gazette of 11th November, 1921, and
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1932, 29th May, 29th June, 29th August, and 24th November, 1933,
21st January, 19th September and 24th December, 1934, 14th October,
1935, 24th February, 25th April, 20th May and 25th August, 1939,
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December, 1940, 28th March, 24th October and 26th November, 1941,
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October, 28th November and 19th December, 1947, 7th February,
12th, 19th and 26th March, 30th April, 26th May, 26th June, 20th
July, 27th August, 29th October, and 26th November, 1948, 25th
January, 25th February, 25th April, 24th June, 29th July, 30th
September, 28th October, 25th November, and 23rd December, 1949,
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April, 29th June, 27th July and 20th November, 1951, 28th March, 30th
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1952, 30th January, 27th February, 27th March, and 25th August, 1953,
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24th December, 1954, 25th March, 27th May, 24th June, 8th and 26th
July, 30th September and 23rd December, 1955, 24th February, 23rd
March, 27th July, 25th September and 29th October, 1956, 26th April,
26th June, 27th September, 25th October, and 29th November, 1957,
21st January, 28th March, 24th April, 30th May, 29th August,
28th September and 21st October, 1958, 20th January, 21st Feb-
uary, 24th April, 31st July, 28th August, 18th and 26th September and
15th December, 1959, 29th January, 1st April, 29th July, 30th Sep-
tember, 28th October, 25th November, and 28th December, 1960, 27th
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November, and 29th December, 1961, 23rd February, 25th May, 29th
June, 27th July, 31st August, 26th October and 30th November, 1962,
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26th June, 26th September, and 30th October, 1964, 26th March, 27th
August, 29th October, and 30th November, 1905, 11th February, 25th February, 26th March, and 30th September, 1906, 28th April, 28th July, 28th August, and 3rd November, 1907, 26th January, 23rd February, 8th and 29th March, 28th June, 21th September, and 9th December, 1908, 2nd May, and 5th December, 1909, 23rd January, 12th February, 24th April, 19th and 26th June, 10th, 17th, and 21st July, 11th September, and 9th October, 1970, 21st May, 4th June, 8th October, 3rd and 17th December, 1971, 9th January, and 28th May, 1972.]

BUILDING.

(Local Government Act, 1919, ss. 304-319, 341, 375-379.)

PART I—INTRODUCTORY.

Application of Ordinance.

1. (a) This Ordinance shall apply to all Municipalities other than that part of the City of Sydney which comprised such City as constituted immediately before 1st January, 1949.

(b) This Ordinance shall apply to those Shires or portions of Shires to which Part XI of the Act applies.

Division into Parts.

2. (a) This Ordinance is divided into Parts as follows:

PART I.—INTRODUCTORY.

PART II.—GENERAL PROVISIONS (relating to all buildings).

PART III.—DWELLING HOUSES.

PART IV.—RESIDENTIAL FLAT BUILDINGS.

PART V.—COMMERCIAL BUILDINGS.

PART VI.—HOTELS.

PART VI A.—HOSTELS, LODGING HOUSES.

PART VI B.—HOLIDAY CABINS.

PART VII.—MOTELS.

PART VII.—ENFORCEMENT.

(b) Where a building is such that one portion of the building comes under the provisions of one "Part" of this Ordinance and another portion comes under the provisions of another "Part," each such portion shall be designed and erected in accordance with the provisions of its appropriate "Part"—for example, in a building which is partly a shop and partly a dwelling, the shop portion shall comply with Parts II and V, and the dwelling portion with Parts II and III.

Provided that where a building is partly a dwelling-house the Council may apply to the whole of the building so far as may be necessary any of all the conditions of this Ordinance relating to a dwelling-house.
3. In this Ordinance, unless inconsistent with the context or subject-matter—

"Act" means the Local Government Act, 1919.

"Automatic" as applied to a fire door or other device designed to prevent or restrict the spread of fire through an opening means capable of normally remaining in an open position and automatically closing by an approved device.

"Basement" means a storey, or portion of a storey, partly below the level of the ground, the ceiling of which is not less than 5 feet above the adjoining ground (irrespective of any excavation made to comply with this Ordinance).

"Brick" means a masonry unit, a concrete brick, a sand lime (Calcium silicate) brick, or a burnt clay and shale brick which complies with the appropriate specification approved by the Department of Local Government.

"Cellar" means a storey, or portion of a storey, below the ground level, the ceiling of which is less than 5 feet above the adjoining ground.

"Cement mortar" means a mortar comprising cement, hydrated lime or lime putty, and fine aggregate in the proportions specified for cement mortar by clause 2.1 of Australian Standard AS128—1963 "Mortar for Masonry Construction", as amended from time to time.

"Cement-lime mortar" means a mortar comprising cement, hydrated lime or lime putty, and fine aggregate in any of the proportions specified for composition mortar by clause 2.1 of Australian Standard AS128—1963 "Mortar for Masonry Construction", as amended from time to time.

"Commercial building" means a building used or constructed or adapted to be used wholly or in part for commercial purposes.

"Court" means an open space on the same allotment as a building, and bounded entirely or in part by the building, or by the building and the allotment line: Provided that where the depth of a recess extending to the street or to the front or to the yard of the building is not greater than the width, such recess shall not be considered a court. "Outer court" means a court extending to the street or to the front, or to the yard of the building. "Inner court" means a court not extending to the street, nor to the front, nor to the yard of the building.
"Dwelling-house" means a building used, constructed, or adapted to be used wholly or in part for human habitation, and includes a guest house or boarding house, but does not include a holiday cabin, hotel, hostel, lodging-house, motel, or residential flat building, or other than the dwelling-house portion (if any) of a commercial building.

"Fire partition" means a wall or partition which subdivides a story of a building to restrict spread of fire or to provide an area of refuge and has a fire resistance rating of not less than two hours determined by the Standard Fire Test.

"Fire resisting construction," as applied to a building, means that construction in which the walls and structural members have fire resistance ratings as determined by the Standard Fire Test of not less than four hours for external walls, bearing walls, fire walls, party walls, isolated piers, columns, and wall supported girders; of not less than three hours for beams, floors, stairways, roofs, walls and girders other than as hereinbefore specified and of not less than two hours for fire partitions.

"Fire wall" means a wall which subdivides a building or separates buildings to restrict the spread of fire, and has a fire resistance rating of not less than four hours determined by the Standard Fire Test, and which starts at the foundation and extends continuously through all storeys and except where the roof is of fire resisting construction and the wall is carried up tight against the roof slab, extends above the roof.

"Flat" means a room or suite of rooms occupied or used or so constructed, designed or adapted as to be capable of being occupied or used as a separate domicile.

"Floor area" means a floor space enclosed by exterior walls, fire walls, or fire partitions, or by a combination of them.

"Guest house" or "Boarding house" means a building other than a residential flat building, hostel, lodging house, motel or hotel used, constructed or adapted to be used as a common habitation for a number of unrelated persons which contains not more than fifteen bedrooms and not more than three other habitable rooms.

"Habitable room" means any living room, and includes all rooms intended or adapted to be used for the purpose of sleeping or eating or the cooking of food.

"Holiday Cabin" means a building used, constructed or adapted to be used for human habitation for holiday purposes only, being one of a group of similar buildings.

"Hostel" or "Lodging house" means a building other than a residential flat building, motel or hotel used, constructed or adapted to be used as a common habitation for a number of unrelated persons which contains more than fifteen bedrooms.
"Hotel" means any building used, constructed or adapted to be used wholly or in part for the sale and consumption of spirituous and fermented liquor under and in accordance with a publican's license granted under the Liquor Act, 1912, or any amendment thereof. [New definition, 22/12/49.]

"Incombustible material" or "non-combustible material" means a material which neither burns nor gives off inflammable vapours in sufficient quantity to ignite at a pilot flame when heated in the manner specified in Australian Standard No. A30-1958 "Fire Tests on Building Materials and Structures." [New definition, 28/3/60.]

"Lime mortar" means a mortar comprising hydrated lime or lime putty, and fine aggregate in the proportions specified for lime mortar by Australian Standard A128—1968 "Mortar for Masonry Construction", as amended from time to time. [New definition, 28/3/60.]

"Load-bearing wall construction", applied to a building, means that type of construction in which load-bearing walls are designed as the principal means of transmitting downwards throughout the height of the building its dead and live loads. [New definition, 2/5/69.]

"Masonry" means a wall or pier of brick, stone, concrete block, terra-cotta block or other similar material used, constructed or adapted to be used for supporting its own weight or any loads that may be imposed upon it. [New definition, 28/1/69.]

"Motel" means a building used, constructed or adapted to be used only for the overnight accommodation of travellers. [New definition, 28/1/69.]

"Not-in-cement Mortar" [...]. [New definition, 26/1/69.]

"Public building" [...]. [New definition, 27/1/69.]

"Public garage" [...]. [New definition, 27/1/69.]

"Residential flat building" means a building containing two or more flats but does not include a row of two or more dwellings attached to each other such as are commonly known as semi-detached or terrace buildings. [Definition amended, 11/8/52.]

"Self-closing" as applied to a fire door or other device designed to prevent or restrict the spread of fire through an opening means normally closed and equipped with an approved device which will ensure closing after having been opened for use. [New definition, 30/9/60.]
"Standard Fire Test," in relation to walls, doors and structural members, means the fire test, applicable to the type of wall, door or structural member concerned, specified in the Australian Standard No. A.30-1958 "Fire Tests on Building Materials and Structures."

"Wall"—"Divisional wall" means a wall (other than an external or party wall) which subdivides any floor of a building and carries any load in addition to its own dead weight.

"Wall"—"External wall" means an outer wall of a building not being a party wall, even though adjoining a wall of another building.

"Wall"—"Partition wall" means a wall subdividing any floor and not carrying any load other than its own dead weight.

Applications, plans, and notices.
L.G. Act 1919, s. 318 (1).

4. (a) Before the erection of a building is commenced, two copies of the plans and specifications thereof and of a plan and specification of any fences already erected or to be erected on or on the boundaries of the allotment on which the building is to be erected, together with an application in writing for approval thereof, shall be submitted to the Council and in the case of an application for approval to erect a dwelling-house not conforming to the requirements and specifications prescribed or approved by or under this Ordinance as to structural design, detail structural drawings shall also be submitted to the Council:

Provided that the Council may, if it sees fit, dispense with the necessity for the submission of a plan and specification of the fences or of plans and specifications to make minor alterations in an existing building or to erect a building to be used exclusively for the purpose of a green-house, conservatory, summer-house, private boat-house, fuel shed, tool-house, cycle shed, aviary, milking bail, hay shed, stable, fowl-house, pigsty, barn, verandah, or the like: Provided also that any building (other than a verandah or an aviary) used or intended to be used for the keeping of domestic animals shall be wholly detached from any dwelling-house: Provided also that where it is desired to make some minor alteration to a building not materially affecting its stability, lighting, ventilation, or size of rooms, the application may in the first place be made without submitting plans and specifications, which shall, however, be submitted if the Council so require.

(b) The application shall describe the building and the fences (if any) erected or to be erected to show the purpose for which the building and fences are to be used.

(c) The plans of the building shall consist of a general plan and a block plan. The plan of fences shall be in such form as the Council may require.
(d) The general plan of the building shall be drawn to a scale of 8 feet to 1 inch (or any larger scale), excepting when the building is of such dimensions that the plans to that scale cannot be drawn on a sheet of paper 40 inches by 25 inches, when a smaller scale may be used.

(e) The general plan of the building shall show a plan of each floor section and elevation of the building which shall indicate the height, design, construction, and provision for fire prevention and fire escapes, if any, the levels of the lowest floor and of any yard or open space belonging thereto, and levels of adjacent ground.

The general plan shall not be required to be coloured except where the plans and specifications relate to a proposal to carry out, in respect of an existing building, any alteration, addition or rebuilding, in which case one copy of the general plan shall be coloured so as adequately to distinguish the proposed alteration, addition or rebuilding.

(f) The block plan of the building shall be drawn to a scale of 40 feet to an inch (or any larger scale) on the same sheet as the general plan or on a separate sheet, and shall show the relation of the building to the boundaries of the site and to other buildings thereon.

(g) The specification of the building shall describe the construction and materials of which the building is to be built and the method of drainage, sewerage, and water supply.

The specification of the fences shall describe in some sufficient manner the height, materials, stability, design, and position or proposed position thereof.

The specification of both the building and the fences shall state whether the materials will be new or second-hand, and if second-hand materials are to be used shall give particulars.

(h) When giving approval the Council may impose a condition that forty-eight hours' notice in writing shall be given prior to the covering of any or all of the following works in order that they may be inspected, that is to say, trenches before foundations are laid, foundations before trenches are filled in, and drains before they are covered in.

(i) Where an application for the approval of plans and specifications of a building necessitates the submission of a structural engineer's drawings or other engineering details prepared by a structural engineer, such drawings or details may be omitted from the plans and specifications at the time of lodging the application. If the application is approved by the Council, such approval shall be subject to the following conditions—

(i) work on the foundations shall not be commenced until full engineering details relating thereto have been submitted to and approved by the Council; and
(ii) no stage of the building work other than the foundations shall be commenced until full engineering details relating to that stage of the building work and such other stages as may be specified by the Council have been submitted to and approved by the Council.

Saving as to existing application.

47. Where an application for approval to erect a building has been lodged with a Council, and before the application is dealt with there is proclaimed a new Ordinance or an amendment or alteration or repeal of Ordinances, the Council may, notwithstanding such new Ordinance or amendment or alteration or repeal, deal with the application in accordance with the provisions of the Ordinance in force at the time when the application was lodged.

Fees.

48. (a) The person making application for the approval of plans and specifications of a building shall lodge therewith a fee calculated according to the following scale:

- Where the cost does not exceed two thousand dollars ($2,000), 0.5 of one per centum of the cost.
- Where the cost exceeds two thousand dollars ($2,000) but does not exceed one hundred thousand dollars ($100,000), 0.5 of one per centum of the first two thousand dollars ($2,000) of the cost plus 0.2 of one per centum of the amount by which the cost exceeds two thousand dollars ($2,000).
- Where the cost exceeds one hundred thousand dollars ($100,000), 0.5 of one per centum of the first two thousand dollars ($2,000) of the cost plus 0.2 of one per centum of the next ninety-eight thousand dollars ($98,000) of the cost plus 0.045 of one per centum of the amount by which the cost exceeds one hundred thousand dollars ($100,000).

Provided that in no case shall the fee be less than one dollar ($1).

Provided also that for the purpose of this subclause "cost" shall mean the contract price or if there is no contract, the cost of the proposed building as determined by the Council.

(b) One-half of the amount of the fee, with a minimum of $1 (subject to the provisions of clause 4) shall be for the examination and approval of the plans and specifications, and shall be retained whether the work proceeds or not, but one-half of the fee, subject to the minimum referred to above, shall be returned upon application for such return being
made within twelve months from the date of—(a) disapproval of plans; or (b) approval of plans, provided the building is not commenced and provided the approval is surrendered.

Provided that where an application for the approval of plans and specifications of a building necessitates the submission of a structural engineer's drawings or other engineering details prepared by a structural engineer, and where at the time of receipt of application for return of portion of the fee such drawings or details have not been checked by the Council, the amount to be returned under this subclause shall be three-quarters of the fee.

(c) The Council may reduce or dispense with the payment of a fee in the case of an application for approval to make minor alterations in an existing building or to erect a building to be used exclusively for the purpose of a green-house, conservatory, summer-house, private boat-house, fuel shed, tool house, cycle shed, aviary, milking bail, hay shed, stable, fowl-house, pigsty, barn, verandah, or the like.

(d) In addition to any fee payable under the preceding subclauses of this clause, there shall, if the Council so requires, be paid by the person making application for approval to erect a dwelling-house not conforming to the requirements and specifications prescribed or approved by or under this Ordinance as to structural design an amount not exceeding twenty-five dollars.

Such amount shall be applied in or towards meeting the costs of investigation by an architect or structural engineer approved by the Council as to whether or not such dwelling-house will be structurally sound. Any residue after payment of such costs shall be refunded to the person making such application.

Survey Certificates.

4A. (a) The Council may, in respect of an application to erect a building, require the submission of a certificate or certificates of survey in the cases, and subject to the conditions, set out in this clause.

(b) Except in the case of a dwelling-house or holiday cabin (including any buildings appurtenant thereto) the Council may, prior to determining the application, require the submission of a certificate of survey setting out the boundaries of the site and the location of the building proposed to be erected thereon and the location of any existing buildings on the site. If such a certificate, together with a true copy thereof, is submitted with the application for approval to erect the building, it shall not be necessary to submit a block plan as required by subclause (c) of clause 4 of this Ordinance.

(c) When giving approval for the erection of a building, the Council may, subject to subclause (d) of this clause, impose a condition that a certificate of survey shall be submitted to the Council setting out the boundaries of the site, and the actual situation of the building on the site.
Such certificate shall be furnished at the earliest stage (which stage shall be specified by the Council when giving its approval in the particular case) at which the actual location of the building on the site may be established.

(d) Subclause (c) of this clause shall not apply in the case of a dwelling-house or holiday cabin (including any buildings appurtenant thereto) except where—

(i) the Council is of opinion that the levels or width of the allotment or other exceptional conditions of the site necessitate the submission of a certificate of survey as mentioned in that subclause; and

(ii) the Council determines by special resolution in the individual case that such a certificate shall be submitted.

Adoption of British and Australian Standards.

4A. Wherever any clause of this Ordinance adopts wholly or partially or by reference any of the standard rules recommended or adopted by the British Standards Institution or the Standards Association of Australia, such adoption shall not include the adoption of any provision—

(a) specifying or defining the respective rights, responsibilities, or obligations as between themselves of any manufacturer, supplier, or purchaser;

(b) specifying or defining the responsibilities of any tradesman or other building operative;

(c) requiring the submission for approval of any material, building component, or form or method of construction, or details thereof, to any person or body other than a person or body specifically empowered by the Act or this Ordinance to give that approval;

(d) specifying that a material, building component, or form or method of construction, or details thereof, shall be submitted to the Standards Association of Australia or a committee of the Association for expression of opinion; or

(e) permitting a departure from any provision of the standard rule, specification, code of practice, or other document at the sole discretion of the manufacturer or purchaser, or by arrangement or agreement between the manufacturer or purchaser.

Certificate of Compliance, Local Government Act, 1919, section 317A.

Fee.

4A. The person making application for a certificate of compliance in accordance with the provisions of section 317A of the Act shall lodge therewith a fee of $4.20. The sum of one dollar ($1) of the fee paid shall be for the examination of the application and shall be retained whether the certificate is issued by the Council or not.
Application of Part XI of the Act to the whole of any Shire.

40. The notice of a proposal to apply Part XI of the Act to the whole of any Shire, under section 305 of the Act, shall be published in the Gazette and a newspaper, and shall fix a period being not less than one month from the later of such publications during which objections may be lodged.

PART II.—GENERAL PROVISIONS.

ALL BUILDINGS.

Application of Part.

5. (a) Except where otherwise specifically provided, the provisions of this Part shall apply to all buildings. Any provision in another "Part," relating to a particular class of buildings, shall, if inconsistent with any provision of this Part, prevail as against this Part.

(b) Each building in a terrace of buildings or in a pair of semi-detached buildings shall be deemed to be a separate building for the purpose of this Ordinance.

Site—Healthiness of.

L.G. Act. 1919, s. 813 (c).

6. (a) A person shall not, without the permission of the Council, erect a building upon any site which shall have been filled with any material impregnated with faecal or with animal or vegetable matter, or upon which any such matter may have been deposited, unless and until such matter shall have been properly removed by excavation or otherwise from such site and depressions filled in with clean soil.

(b) Every person who shall erect a building shall cause the subsoil of the site of such building to be effectually drained wherever, in the opinion of the Council, the dampness of the site renders such a precaution necessary.

(c) If the Council so direct in any particular case, the whole or part of the ground surface or site of such building shall be covered with a layer of good cement-concrete, or tarred-metal, rammed solid, and at least 4 inches thick.

(d) The Council may refuse or postpone approval to build upon a site which is unhealthy by reason of its liability to dampness, unless and until the site is rendered dry, sound, and well drained to the satisfaction of the Council.
8. (a) The building line in each part of a street shall, when fixed by the Council, be marked upon a plan, or clearly described in a resolution of the Council; and such plan or resolution shall be open for inspection by the public free of charge during the office hours of the Council.

(b) Alterations may be made by the Council where the levels or depth of the allotment or other exceptional conditions of the site or the nature of the building make it necessary or expedient to alter the building line in respect of any part of the building or buildings.

(c) 

Permissible Projections beyond Street Alignment.

84. (a) Except as otherwise provided herein and in Ordinance No. 30 made under the Local Government Act, 1919, as amended, no part of a building shall project beyond the alignment of the road or roads to which the building has frontage.

(b) Projections designed or intended as protection from the sun and projections of a decorative nature such as cornices, string-courses, eaves, sills, mullions and architraves, if they are constructed of brick, stone, reinforced concrete or other approved fire-resisting material, may extend not more than 15 inches beyond the road alignment provided they are at least 10 feet above the pathway level of the road over which they project. No such projection shall be permitted in a road less than 40 feet wide.

(c) Sunblinds, sun louvres and the like, if they are constructed of approved incombustible material throughout, may project not more than 18 inches in a fully open position beyond the road alignment provided that they are at least 10 feet above the pathway level of the road over which they project. No such projection shall be permitted in a road less than 40 feet wide except that the Council may approve such projections in a road less than 40 feet wide in the case of a shop erected prior to 26th July, 1961.

(d) Footings may project beyond the road alignment to the extent of not more than 18 inches providing such projecting parts of the footings are not less than 4 feet 8 inches below pathway level at the alignment of the road under which they project and to the extent of not more than 30 inches providing such projecting parts of the footings are not less than 10 feet below such pathway level, but in no case shall such projections extend under the carriageway of the road.
(e) Boundary traps on sewerage service pipes shall be placed as close as possible to the road alignment and if possible inside such alignment and such boundary traps shall be brought to the surface of the pathway to permit of easy inspection.

(f) All other traps, with the exception of reflux valves shall be located on the land on which the building is erected either by being recessed in such building or otherwise. In the case of reflux valves, such valves may be installed in the pathway beneath existing pavement lights.

(g) No pipes or services shall project beyond the road alignment except rainwater heads which may project not more than 18 inches and rainwater downpipes which may project not more than 6 inches above a height of 9 feet above pathway level, but shall not project below such height: Provided that in regard to existing buildings the projection of essential service pipes may be approved by the Council.

(h) In roads exceeding 40 feet in width projections beyond the road alignment for bay windows or balconies shall be allowed up to a maximum projection of 1 foot 6 inches. Such projections shall be limited in extent to not more than fifty per centum of any road frontage of the building at any level and no portion of such projection shall be within a distance of 4 feet 6 inches from the adjoining property at the road alignment or within 12 feet of the pathway of a road below such projection.

(i) Flagpoles may project beyond the road alignment provided that the poles or the flags suspended therefrom shall be at least 12 feet above the pathway level of the road and do not project over the carriageway of the road and provided further that no interference with public services is caused thereby.

(j) All permissible projections other than footings shall be so constructed that they may be removed at any time after their erection without causing the building of which they are a part to become structurally unsafe and without causing a reduction in the fire-resistance rating of any element of the building required by this Ordinance.

Access to rear.

Ind. 8. 511 (a)

9. (a) Where, in an unsewered district, an earth closet, septic tank, substituted septic closet, or other means of night-soil disposal is situated at the rea of any building and there is no public and convenient access to the rear of the site, the building shall be so designed as to leave outside the building a way of access at least 3 feet wide from a public road to such earth closet, septic tank, septic closet, or other means of night-soil disposal.
(b) Where, in any district, there is no public and convenient access to the rear of the site of a dwelling-house for the removal of garbage and refuse, the building shall be so designed as to leave outside the building a way of access at least 3 feet wide from a public road to the rear of the dwelling-house.

(c) Such access may be provided by a common right of way 3 feet wide to serve two adjoining buildings or dwelling-houses.

(d) Access by way of a covered passage running through a building, other than a passage in the nature of an internal hall, shall be deemed to be outside the building for the purposes of this clause.

Outbuildings.

10. In the case of an application to erect (as appurtenant to a building) any outbuilding from the use of which unpleasant noises, unpleasant odours, or unusual risk of fire may reasonably be expected to arise, the Council may determine in what position upon the allotment such outbuilding may be erected.

Height.

11. (a) The height of a building shall be the measurement taken from the level of the ground at the centre of the front of the building to the ceiling of the highest storey of the building, provided that a parapet not exceeding 10 feet of additional height may be added. Provided that bulkheads, lantern lights, pergolas, or other open ornamental treatment of roof gardens, or play areas, and space for water tanks or reservoirs, or lift or elevator machinery, and the like, upon the top of a building, shall not, if constructed to a design approved by the Council, be taken into account in determining the height of the building.

(b) A building shall not exceed 100 feet in height.

(c) This clause is subject to the Height of Buildings (Metropolitan Police District) Act, 1912, in respect of buildings to which that Act applies.

(d) Wherever in this Ordinance the height of buildings is referred to as measured in storeys then any roof space or gable containing a room shall be counted as a storey.

(e) For the purpose of this clause a chimney shall not be deemed to be part of a building.
Floor Area Limitations in Factories and Warehouses.

III. (1) In this clause, unless inconsistent with the context or subject—

(a) "factory" means any building which, for the purposes of trade or sale or gain or as an ancillary to any business is used, constructed or adapted to be used for any handicraft or process in or incidental to the making, assembling, repairing, renovating, preparing, ornamenting, finishing, cleaning, washing, or adapting of any goods;

(b) "warehouse" means any building used, constructed or adapted to be used for the sale of goods by wholesale or the bulk storage or display of goods for sale by wholesale, or for the storage of goods only;

(c) "high fire hazard" in relation to a factory or warehouse or a space therein referred to in subclause (9) of this clause means a factory or warehouse or space in which a principal material used, stored or displayed is—

(i) one of the materials listed in the Schedule to this clause; or

(ii) a material which, in the opinion of the Council after consultation with the Board of Fire Commissioners, has a potential severity of combustion which is effectively not less than that of any material listed in such Schedule.

(2) (a) Except as provided in paragraph (b) of this subclause this clause applies to all factories and warehouses.

(b) This clause does not apply to any factory or warehouse in which the building—

(i) is of fire-resisting construction; or

(ii) is of fire-resisting construction except in the roof, does not exceed six storeys in height and—

(a) if more than two storeys in height has a roof covering of non-combustible material; and

(b) if more than three storeys in height has also a roof framing of non-combustible material.

(3) Where a storey of a factory or warehouse is divided into sections by fire walls or fire partitions, the openings of which are protected by automatic or self-closing fire doors, the provisions of this clause relating to the floor area of a storey shall apply to each such section as though it were a storey.
(4) (a) Except as otherwise provided in this clause, the floor area of any storey of a factory or warehouse shall, where an approved installation of automatic sprinklers is not provided throughout the storey, not exceed the relevant area according to the construction of the external walls, set out in column 1 or column 3 of the Table to this paragraph, whichever is applicable, or where an approved installation of automatic sprinklers is provided throughout the storey, shall not exceed the relevant area according to the construction of the external walls, set out in column 3 or column 4 of the Table to this paragraph, whichever is applicable.

**Table.**

<table>
<thead>
<tr>
<th>Construction of external walls</th>
<th>Column 1</th>
<th>Column 2</th>
<th>Column 3</th>
<th>Column 4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Multi-storey unsprinklered</td>
<td>sq ft</td>
<td>sq ft</td>
<td>sq ft</td>
<td>sq ft</td>
</tr>
<tr>
<td>Brickwork not dependent on</td>
<td>9,000</td>
<td>18,000</td>
<td>18,000</td>
<td>27,000</td>
</tr>
<tr>
<td>steel columns for its strength</td>
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<td></td>
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<tr>
<td>under lateral loading and</td>
<td></td>
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<tr>
<td>having a fire-resistance rating</td>
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<tr>
<td>of four hours</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Non-combustible material</td>
<td>8,000</td>
<td>16,000</td>
<td>16,000</td>
<td>24,000</td>
</tr>
<tr>
<td>other than that above-</td>
<td>5,000</td>
<td>10,000</td>
<td>10,000</td>
<td>15,000</td>
</tr>
<tr>
<td>mentioned</td>
<td></td>
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<td></td>
<td></td>
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<tr>
<td>Combustible construction</td>
<td></td>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Warehouses</th>
<th>sq ft</th>
<th>sq ft</th>
<th>sq ft</th>
<th>sq ft</th>
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<tbody>
<tr>
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<td>under lateral loading and</td>
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<td>having a fire-resistance rating</td>
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<td>of four hours</td>
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</tr>
<tr>
<td>Non-combustible material</td>
<td>10,000</td>
<td>20,000</td>
<td>20,000</td>
<td>30,000</td>
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<tr>
<td>other than that above-</td>
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<tr>
<td>Combustible construction</td>
<td>8,000</td>
<td>16,000</td>
<td>16,000</td>
<td>24,000</td>
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<tr>
<td></td>
<td>5,000</td>
<td>10,000</td>
<td>10,000</td>
<td>15,000</td>
</tr>
</tbody>
</table>

(b) Notwithstanding the provisions of paragraph (a) of this subclause, where the means of access from any part of a storey of a factory or warehouse to an exit from the building involves—

(i) mounting one or more steps within the storey, or within a stairway leading to that exit; or
(ii) use of a ramp within the building, other than a ramp which is open for its entire length on at least one side of the rampway, the floor area of any such storey shall not exceed the relevant floor area according to the construction of the external walls as set out in column 1 of the Table to paragraph (a) of this subclause.

(5) The provisions of subclause (4) of this clause shall not apply to a factory or warehouse containing only one storey and having a floor area not exceeding 200,000 square feet if—

(a) an open space, not less than 50 feet in width and complying with subclause (7) of this clause, is provided on the allotment on which the building is erected; or

(b) the external walls of the building are built of brickwork, not dependent on steel columns for its strength under lateral loading and having a fire-resistance rating of four hours, and the building—

(i) if the floor area does not exceed 10,000 square feet, is provided with automatic smoke-and-heat vents in accordance with subclause (8) of this clause;

(ii) if the floor area exceeds 10,000 square feet, is provided with both draught curtains or vertical glazing and automatic smoke-and-heat vents, in accordance with subclause (9) of this clause;

(iii) is provided with a parapet, in accordance with subclause (10) of this clause, on every external wall facing the boundary of an adjoining allotment; and

(iv) complies with subclause (11) of this clause as to window openings.

(6) The provisions of subclause (4) of this clause shall not apply to a factory or warehouse containing only one storey and having a floor area exceeding 200,000 square feet if—

(a) an open space, not less than 80 feet in width and complying with subclause (7) of this clause is provided on the allotment on which the building is erected and the building—

(i) has external walls of non-combustible material, except that window frames, girts and nogging, if any, in those walls, may be combustible;

(ii) is fitted throughout with an approved installation of automatic sprinklers; and

(iii) is provided with both draught curtains or vertical glazing and automatic smoke-and-heat vents, in accordance with subclause (9) of this clause; or
(b) an open space, not less than 30 feet in width and complying with subclause (7) of this clause, is provided on the allotment on which the building is erected, and the building—

(i) has its external walls built of brickwork, not dependent on steel columns for their strength under lateral loading and having a fire-resistance rating of four hours;

(ii) is fitted throughout with an approved installation of automatic sprinklers;

(iii) is provided with both draught curtains or vertical glazing and automatic smoke-and-heat vents, in accordance with subclause (9) of this clause;

(iv) is provided with a parapet, in accordance with subclause (10) of this clause, on every external wall facing the boundary of an adjoining allotment; and

(v) complies with subclause (11) of this clause as to window openings.

(7) The open space referred to in paragraph (a) of subclause (5) or paragraph (a) or paragraph (b) of subclause (8) of this clause—

(a) shall, except as provided in paragraph (b) of this subclause, be contiguous with all the boundaries of the site;

(b) shall not in any part be built upon or designed for storage or the processing of materials, the parking of motor vehicles, or any other like purpose, except that guard houses and service buildings, such as substations and pump houses, erected on or near the boundaries of the site, may, where the width of the open space is not less than 25 feet, encroach upon that width by not more than 10 feet; and

(c) shall have its ground surface so finished that, in the event of a fire within the building, there will be no undue impediment to the access of fire-fighting vehicles to any part of the perimeter of the site.

(8) Wherever this clause requires the provision of automatic smoke-and-heat vents, but does not require also the provision of draught curtains or vertical glazing, the following requirements shall be met:—

(a) If a sprinkler system is installed, such vents shall be set to open automatically at a temperature not less than 100° on the Fahrenheit scale above that at which the sprinkler system is set to operate.

(b) The aggregate airway of openings of such vents shall bear not less than the following ratio to the floor area of the building—

(i) in a factory or warehouse of high fire hazard—$3:100$;

(ii) in all other cases—$3:200$. 
(8) Wherever this clause requires the provision of both draught curtains or vertical glazing, and automatic smoke-and-heat vents, the following requirements shall be met:

(a) The space below the roof shall be divided into compartments by—

(i) vertical non-combustible non-shattering draught curtains (including asbestos-silica board and excluding asbestos-cement board) hung from the roof structure; or

(ii) vertical glazing of wired glass not less than \( \frac{4}{16} \) inch thick, being the glazing of a saw-tooth roof that is to be used instead of a draught curtain.

(b) The draught curtains or vertical glazing referred to in paragraph (a) of this subclause shall extend from the underside of the roof sheeting to a level not less than 5 feet below the lowest part of the opening to the outside air of the lowest smoke-and-heat vent referred to in paragraph (f) of this subclause.

(c) The holes for the fixing of any non-metallic draught curtains shall be drilled not less than \( \frac{1}{4} \) inch in diameter overrize, and shall be so located as to allow expansion of the curtains in the event of a fire within the building.

(d) None of the compartments formed in accordance with paragraphs (a) and (b) of this subclause shall exceed 10,000 square feet in area, measured in a horizontal plane.

(e) In any space referred to in paragraph (a) of this subclause which is of high fire hazard, the horizontal distances between—

(i) the draught curtains or vertical glazing referred to in paragraph (b) of this subclause; and

(ii) any external wall and the draught curtain or vertical glazing, if any, nearest to it,

shall not exceed 100 feet.

(f) Each of the compartments formed in accordance with paragraphs (a) and (b) of this subclause shall be provided with approved automatic smoke-and-heat vents.

(g) If a sprinkler system is installed, the vents shall be set to open automatically at a temperature not less than 160° on the Fahrenheit scale above that at which the sprinkler system is set to operate.

(h) The aggregate airway of smoke-and-heat vent openings in each compartment shall bear not less than the following ratio to the area of the compartment:

(i) where the space vertically below the compartment is or includes a space of high fire hazard—8: 100;

(ii) in all other cases—3: 200.
(10) Wherever subclause (5) or subclause (6) of this clause requires the provision of a parapet on an external wall, the parapet shall extend throughout the length of the wall and shall be not less in height than the lowest height shown in the second column of the Table to subclause (11), according to the distance of the wall from the relevant boundary.

(11) In a building to which paragraph (b) of subclause (5) or paragraph (b) of subclause (6) of this clause applies, the aggregate area of window openings in any portion of an external wall facing the boundary of an adjoining allotment shall not exceed the area shown in the third column of the Table hereunder, according to the distance of the wall from that boundary and the height of the parapet provided.

<table>
<thead>
<tr>
<th>Distance of wall from boundary</th>
<th>Height of parapet</th>
<th>Maximum permissible aggregate area of windows</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 5 ft</td>
<td>5 ft in</td>
<td>Nil</td>
</tr>
<tr>
<td>5 ft to less than 7 ft</td>
<td>5 ft in</td>
<td>Nil</td>
</tr>
<tr>
<td>7 ft to less than 10 ft</td>
<td>5 sq ft in any 6-ft length of wall.</td>
<td>Nil</td>
</tr>
<tr>
<td>10 ft to less than 15 ft</td>
<td>10 sq ft in any 9-ft length of wall.</td>
<td>Nil</td>
</tr>
<tr>
<td>15 ft to less than 20 ft</td>
<td>10 sq ft in any 12-ft length of wall.</td>
<td>Nil</td>
</tr>
<tr>
<td>20 ft to less than 25 ft</td>
<td>20 sq ft in any 18-ft length of wall.</td>
<td>Nil</td>
</tr>
<tr>
<td>25 ft to less than 35 ft</td>
<td>25 sq ft in any 24-ft length of wall.</td>
<td>Nil</td>
</tr>
<tr>
<td>35 ft to less than 60 ft</td>
<td>30 sq ft in any 36-ft length of wall.</td>
<td>Nil</td>
</tr>
<tr>
<td>60 ft and over</td>
<td>40 sq ft in any 48-ft length of wall.</td>
<td>Nil</td>
</tr>
</tbody>
</table>

(12) For the purpose of determining whether subclause (6) of this clause is applicable, all factory and warehouse buildings on the one parcel of land that are within 90 feet of each other shall be deemed to be the one building.
(13) (a) Where on 1st March, 1968, an existing building was not being used as a factory or warehouse, that building shall not be so used after that date unless the building complies with the relevant requirements of this clause.

(b) Where on 1st March, 1968, an existing factory or warehouse was not used as a factory or warehouse of high fire hazard, it shall not be so used after that date unless the building complies with the relevant requirements of this clause.

(14) Upon production of a certificate issued by the Board of Fire Commissioners that having regard to the purpose or purposes for which a particular factory or warehouse, being either an existing building or a proposed building, is intended or adapted to be used, satisfactory provisions have been made—

(a) alternative to those of this clause; and

(b) for the better or equally effective structural restriction of the spread of fire, and the extinction of fire,

the Council may exempt the building from any or all of the foregoing provisions of this clause. Such exemption shall be granted only by resolution in the particular case and having regard to any recommendations included in the certificate of the Board as to the requirements to be imposed.

(15) Where the Council is of opinion that by reason of the purpose or purposes for which a particular factory or warehouse, being either an existing building or a proposed building, is intended or adapted to be used, special provision should be made for the structural restriction of the spread of fire or the extinction of fire, it may refer the proposal to the Board of Fire Commissioners for report and may, after consideration of any recommendations contained in that report, impose such special requirements as it may consider desirable. Any such special requirements shall be imposed only by resolution in the particular case and shall be additional to the relevant requirements of this clause, except that exemption may be granted from one or more of such relevant requirements where the Board of Fire Commissioners so recommends.

SCHEDULE TO CLAUSE 11A.

High Fire Hazard Materials.

Bitumen, tar, or any product thereof, including—

(a) asphalt;

(b) caulking and sealing compounds; and

(c) surfacing materials;
Cork;

Enamel, lacquer, paint or varnish;

Explosive, fireworks or matches;

Fibre or any fibrous product, including—

(a) bristles, cloth, cord, felt, fur, raw fibres, straw, and thread; and
(b) made-up products of cotton, flax, hemp, jute, silk, synthetic fibres, or
wool, including bedding, carpets, and upholstery;

Flammable gas or flammable liquid, including—

(a) liquefied petroleum gas;
(b) natural gas and coal gas; and
(c) hydrogen;

Flour or any foodstuff—

(a) including grain and kernels (whether as cereal or crushed and milled); but
(b) excluding fresh food such as fish, fruit, meat, and vegetables;

Gum, polish, resin, or wax, or any product thereof, including linoleum, oilcloth,
and tarpaulin;

Inorganic chemical known by the Council to be fire-hazardous, including—

(a) finely powdered metal;
(b) metallic sodium;
(c) calcium carbide, potassium nitrate and phosphorus;

Leather, skin, or any product thereof, including boots, shoes, furs, and clothing;

Oil (animal, mineral or vegetable), including animal fats and refined oils, or
any product thereof;

Organic chemical comprising—

(a) alcohol or any alcoholic liquor;
(b) any industrial solvent;
(c) any synthetic resin;
(d) any cellulose product;
(e) any peroxide; or
(f) any like material;

Paper or any paper product, including—

(a) books, cardboard, and fibre containers; and
(b) newsprint except when stored in rolls;

Plastic or any plastic product, including cellulose acetate and nitrile-cellulose
(such as celluloid or pyroxylin);

Rubber (natural or synthetic) or any product thereof, including motor tyres,
foamed rubber, and garments; or

Timber or any timber product, including fibreboard, particle board, and plywood.

MATERIALS.
18. (a) The Council may grant, subject to conditions, or refuse permission to erect a structure of calico, canvas, or other textile material, and if any such structure is erected without the Council’s permission, may order the occupier of the structure or if unoccupied the owner of the land on which the structure is situated to demolish the structure.

(b) No provision of Part XI of the Act except section 305, paragraph (22) of section 318, and section 319, and no clause of this Ordinance except this clause and clauses 84 and 85, shall apply to the erection of a structure of calico, canvas, or other textile material.

**Materials and Workmanship.**

14. (a) Materials which have been used in the construction of any cesspit, drain, or sewer, or which for any other reason are dangerous to health, shall not be used in the erection of any building.

(b) Faulty or unsuitable materials shall not be used in any building.

(c) (i) A burnt clay or shale brick shall not be used in a building unless it complies with Standard Specification No. 18 “Burnt Clay and Shale Building Bricks” as approved by the Minister for Local Government and published in the Gazette.

(ii) A concrete brick shall not be used in a building unless it complies with Australian Interim Specification 306—1948 “Precast Concrete Masonry Units”.

(iii) A sand-lime (calcium silicate) brick shall not be used in a building unless it complies with Australian Standard A61—1967 “Sand-lime (calcium silicate) Bricks”, as amended from time to time; and

(iv) A concrete block shall not be used in a building unless it complies with Australian Standard A87—1963 “Concrete Blocks for Masonry Construction” as amended from time to time.

(d) Every part of a building shall be erected in a good and workmanlike manner.

(e) (i) Cement mortar shall not be used in masonry built of concrete bricks or concrete blocks except below the level of any damp-proof course.
O. 71.

(ii) Where cement mortar is used in masonry built of concrete bricks or concrete blocks below the level of any damp-proof course, vertical control joints, spaced no further apart than 10 feet, shall be provided in such masonry.

(f) . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . .

(g) Metal in the form of reinforcement, bolts, piping and the like shall not be built into masonry having aggregate containing corroding agencies.

Use of Concrete Roofing Tiles.

14A. (a) Concrete roofing tiles with weathering checks shall not be used for roofs unless such tiles are manufactured in accordance with Australian Standard Specification No. A. 14-1952 "Concrete Interlocking Roofing Tiles (With Weathering Check)".

(b) Concrete roofing tiles without weathering checks shall not be used for roofs unless such tiles are—

(i) manufactured in accordance with Australian Standard Specification No. A. 138-1937 "Concrete Interlocking Roofing Tiles (Without Weathering Check)", section 3 excepted; and

(ii) fixed in accordance with Australian Standard Code of Recommended Practice No. AS C148-1937 "The Fixing of Concrete Interlocking Roofing Tiles (Without Weathering Check)".

Provided that tiling battens shall conform to the requirements of paragraph (1) of subclause (a) of clause 18 of this Ordinance.

Use of Terra Cotta Roofing Tiles.

14A. On and after 1st March, 1956, terra cotta roofing tiles of the shingle (plain) type and of the French (Marseilles) pattern shall not be used for roofs unless such tiles—

(a) comply with the appropriate standard specification approved by the Department of Local Government; and

(b) bear the name or the registered trade mark of the manufacturer permanently impressed therein.

Use of Fibrous Plaster.

14A. Fibrous plaster shall not be used for the walls and ceilings of a building unless such fibrous plaster is—

(a) manufactured in conformity with Australian Standard No. A44—

1930 "Fibrous Plaster Products"; and
(b) fixed in conformity with Australian Standard No. CA.20-1960
"The Erection and Fixing of Fibrous Plaster Products":

Provided that ceiling and wall battens shall conform to the requirements of paragraph (i) of subclause (a) of clause 18 of this Ordinance.

Testing materials.

15. The Council may test any building materials, and prohibit the use of such materials as are proved unfit for the purpose for which they were intended to be used.

Protection against corrosion of steel used in building construction.

15a. (1) All steel members used in the construction of any building shall be protected against corroding agencies, climatic influences or local conditions that may cause corrosion by concrete casing, galvanising, sherardising or by approved painting or by other means.

(2) Steel members supporting brick work over openings in external walls exposed to sea air shall be protected against corrosion either by—

(a) galvanising and painting; or

(b) encasing in concrete; or

(c) treating with phosphoric acid or other approved process to completely clean the steel and remove scale and rust, and applying successively a bond coating of iron phosphate or other approved bond coating, a priming coat of red oxide zinc chromate and two coats of an approved paint.

(3) The protective concrete casing or cement mortar rendering of structural steel members and the covering to bars in reinforced concrete beams and columns shall be not less than 1½ inches and in the case of reinforced concrete slabs not less than ½ inch.

(4) The protective concrete casing of structural steel members and the covering of bars in reinforced concrete beams and columns shall be composed of not less than one part of Portland cement to two parts of sand and four parts of inert aggregate. Ashes, breeze or slag containing free sulphur shall not be used as such aggregate.

CONSTRUCTION.

Fire-resisting Construction—height—materials.

16. (a) A building which is to be more than four storeys in height (not including the cellar, if any) shall be of fire-resisting construction.
(b) In any building of fire-resisting construction wood may be used for floors (and nailing strips or joists) on top of fire-resisting floors, for partitions in commercial buildings which are not corridor partitions of partitions between separate occupancies, and for hand-rails, doors, door-frames, window-frames and sashes, architraves, skirtings, fittings and finishings.

(c) In any building of fire-resisting construction a protective casing of incombustible material may be omitted from east or mild steel brackets supporting the outer section of cavity walls on the inner section.

Provided that the anchor bar of such brackets and that portion of the brackets adjacent to the junction of such inner section and the floor shall be provided with a protective covering having a fire-resistance rating as determined by the Standard Fire Test of not less than two hours.

Light-weight fire-resisting construction.

18A. (a) Where a building is required by any provision of this Ordinance to be of fire-resisting construction this requirement shall, as applied to the whole or any portion of the building where such building or portion, as the case may be, is intended or adapted for use—

(a) for office purposes;

(b) as a hotel, hostel, lodging-house or a residential flat;

be deemed to be satisfied where the walls and structural members of such building or portion are of incombustible material and have fire-resisting ratings as determined by the Standard Fire Test of not less than four hours for external walls, columns and beams less than 30 feet distant from any other allotment of land or building; of not less than two hours for external walls not less than 30 feet but less than 35 feet distant from any other allotment of land or building, for external columns and beams 30 feet or more distant from any other allotment of land or building, and for other supporting structural members, load-bearing walls, floor and roof slabs, divisional walls and required enclosure walls of lifts and stairways; of not less than one and one-half hours for external walls 35 feet or more distant from any other allotment of land or building; and of not less than one hour for required stairways.

Provided that where a material or a method of construction not otherwise provided for in this clause is proposed to be used in a building the Council may require such material or method of construction to be tested or may require the submission of other evidence to the satisfaction of the Council of its suitability or to determine whether it complies with the requirements of this clause.

(b) Any column or beam having a protective casing of incombustible material distant at least nine inches from the inner face of the required fire-resisting construction of any external wall shall not be deemed to be an external column or beam within the meaning of subclause (a) of this clause.
(c) Where a building or portion of a building is proposed to be constructed in accordance with the provisions of subclause (a) of this clause such building or portion shall, in addition to the other requirements of this Ordinance, be constructed in accordance with such appropriate standard specification as shall be issued or approved by the Department of Local Government from time to time.

(d) In this clause, unless inconsistent with the context or subject matter, "required" means required by any provision of this Ordinance.

(e) Where a building is not required by any provision of this Ordinance to be of fire-resisting construction and where the whole or any portion of such building is intended or adapted for use—

(a) for office purposes;

(b) as a hotel, hostel, lodging-house, motel or a residential flat;

such building or portion may be constructed in accordance with the provisions of this clause and any such building or portion shall comply with all such requirements of this Ordinance and of any standard specification approved by the Department of Local Government under this clause as are appropriate to a building not required to be of fire-resisting construction but need not comply with any other requirement of this Ordinance or of such standard specification which is intended only for the purpose of fire-resistance and has no relation to structural stability.

Reinforced concrete and steel frame construction.

Statute 8, 918 (a).

17. The provisions of By-law No. 54, "Building Regulation (Materials, Loads and Stresses)" made by the Municipal Council of Sydney and published in Government Gazette No. 35 of 5th April, 1946, as amended by By-laws published in Government Gazettes No. 76 of 27th June, 1947, and No. 45 of 30th April, 1948, such By-law as so amended being deemed to be an Ordinance under the Local Government Act, 1919, by virtue of the provisions of the Local Government (Areas) Act, 1946, shall apply mutatis mutandis to the erection of buildings which are to be built of composite steel and concrete or of reinforced concrete frame or of steel frame construction, in all areas to which this Ordinance applies:

Provided that any reference in By-law No. 54 to the "City Building Surveyor" shall for the purpose of the application of the By-law as aforesaid, be deemed to be a reference to the "Council".

Load-bearing Wall Construction.

Statute 8, 918 (b).

17a. (1) This clause shall apply to every building of load-bearing wall construction in which the level of the floor of the topmost storey is more than 25 feet above the lowest level of the finished ground adjacent to the building.
(2) Every building to which this clause applies shall comply with one of the following alternative rules:

(a) The building shall be provided with horizontal continuity at every floor level by means of:

(i) a concrete floor cast in situ capable of resisting all the negative bending moments specified for such a floor by Australian Standard CA3-1938 "S.A.A. Code for Concrete in Buildings"; or

(ii) a floor comprising precast concrete units connected in such a manner as to be capable of resisting all the negative bending moments specified by Australian Standard CA3-1938 "S.A.A. Code for Concrete in Buildings" for a reinforced concrete floor cast in situ.

(b) The building shall be so constructed that the floors, together with the load-bearing walls, shall be capable of resisting bending moments which are equivalent, in their effect, to the negative bending moments specified by Australian Standard CA3-1938 "S.A.A. Code for Concrete in Buildings" for a reinforced concrete floor cast in situ.

(c) The building shall be so constructed that if any part of a load-bearing wall, 20 feet in length and not exceeding in height the height of the storey in which it is located, is removed or displaced from any cause whatsoever, the stresses developed in the remaining parts of the wall shall not exceed normal working stresses by more than 25 per centum and the remaining structural parts of the building shall be held in place.

(3) If the Council is not otherwise able to satisfy itself that a building, to which this clause applies, complies with one of the alternative rules referred to in subclause (2) of this clause, it may require the submission of a certificate by a structural engineer approved by the Council, that the proposed building will so comply.

(4) A building to which this clause applies shall be subject also to all other relevant provisions of this Ordinance and this clause shall, where inconsistent with such other provisions, to that extent replace those provisions.

Timber construction.

Dtd. x. 213 (3).

18. (a) (i) Except as otherwise specified in this clause, timber used in the construction of a building shall comply with Australian Standard CA38 "S.A.A. Light Timber Framing Code" to the extent that such Standard is applicable to the building concerned.
(ii) As an alternative to complying with Australian Standard \textit{S.A.A. Light Timber Framing Code}, timber which would otherwise come within the scope of that Standard may be used in the construction of a building if—

(a) when used for the purposes of flooring boards the timber has a minimum milled finish thickness of \(\frac{3}{8}\) inch in the case of hardwood and \(\frac{13}{16}\) inch in the case of timber other than hardwood; and

(b) when used for purposes other than flooring boards, the timber complies with the requirements of the following table:

<table>
<thead>
<tr>
<th>Purpose</th>
<th>Minimum Sizes of Finished Timber (Tolerance of (\frac{1}{10}) in. Allowed)</th>
<th>Other Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Hardwood</td>
<td>Oregon, Cypress or other &quot;D&quot; Group Timbers</td>
</tr>
<tr>
<td>Floor joists to—</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) A one-storey building or the upper storey of a two-storey building.</td>
<td>3 in. x 3 in. or 4 in. x 2 in.</td>
<td>4 in. x 2 in.</td>
</tr>
</tbody>
</table>

| (b) The upper storey of a two-storey building where the unsupported span does not exceed— | 4 in. x 2 in. | 5 in. x 2 in. |
| 6 ft.                            | 6 in. x 2 in. | 7 in. x 2 in. |
| 8 ft.                            | 8 in. x 2 in. | 9 in. x 2 in. |
| 10 ft.                           | 10 in. x 2 in. | 11 in. x 2 in. |
| 12 ft.                           | 12 in. x 2 in. | 13 in. x 2 in. |
| 14 ft.                           | 14 in. x 2 in. | 15 in. x 2 in. |
| 16 ft.                           | 16 in. x 2 in. | 17 in. x 2 in. |
| 18 ft.                           |                      | 18 in. x 2 in. |
| 20 ft.                           |                      | 20 in. x 2 in. |

Floor plates ... ... ... ... ... ... ... ... 4 in. x 2 in. | 4 in. x 2 in. |

Floor beams ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... ... 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<table>
<thead>
<tr>
<th>Purpose</th>
<th>Minimum Sizes of Placed Timber (Tolerance of 1 in 15 Allowed)</th>
<th>Other Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Hardwood</td>
<td>Oregon, Cypress or other &quot;D&quot; Group Timbers</td>
</tr>
<tr>
<td>Vrenin plate</td>
<td>Width of stud x 1/4 in. thick.</td>
<td>Width of stud x 2 in. thick (cypress or width of stud x 1 1/4 in. thick other &quot;D&quot; group timbers).</td>
</tr>
<tr>
<td>Studs for—</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a)</td>
<td></td>
<td>Spacing not to exceed 2 feet centers.</td>
</tr>
<tr>
<td>(a) One-story building or the upper story of a two-story building in which the unsupported length of the studs is—</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(i) not more than 9 feet</td>
<td>3 in. x 2 in. or 4 in. x 1 1/2 in.</td>
<td>4 in. x 1 1/4 in.</td>
</tr>
<tr>
<td>(ii) more than 9 feet but not more than 14 feet; or</td>
<td>4 in. x 2 in.</td>
<td>4 in. x 1 1/2 in.</td>
</tr>
<tr>
<td>(iii) more than 14 feet; or</td>
<td>4 in. x 2 in.</td>
<td>4 in. x 1 1/2 in.</td>
</tr>
<tr>
<td>(c) The lower story of a two-story building in which the unsupported length of the studs is—</td>
<td>5 in. x 2 in.</td>
<td>5 in. x 2 in.</td>
</tr>
<tr>
<td>(i) not more than 14 feet; or</td>
<td>5 in. x 2 in.</td>
<td>5 in. x 2 in.</td>
</tr>
<tr>
<td>(ii) more than 14 feet</td>
<td>5 in. x 2 in.</td>
<td>5 in. x 2 in.</td>
</tr>
<tr>
<td>Noggins</td>
<td>2 width of stud x 1 1/4 inch thick.</td>
<td>2 width of stud x 1 inch thick.</td>
</tr>
<tr>
<td>Braces</td>
<td>3 in. x 1/8 in.</td>
<td>3 in. x 4 in.</td>
</tr>
<tr>
<td>Top plates (wall plates) for—</td>
<td>Spacing not to exceed 2 feet centers.</td>
<td></td>
</tr>
<tr>
<td>(a) buildings of solid construction; or</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(b) buildings of timber frame construction.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cutting joints</td>
<td>4 in. x 2 in. or 4 in. x 2 1/4 in.</td>
<td>4 in. x 2 in. or 4 in. x 2 1/4 in.</td>
</tr>
<tr>
<td>Right angles</td>
<td>7 in. x 1 1/2 in.</td>
<td>7 in. x 1 1/2 in.</td>
</tr>
<tr>
<td>Roof rafters supporting—</td>
<td>Spacing shall not exceed 2 feet centers.</td>
<td></td>
</tr>
<tr>
<td>(a) unbroken corrugated iron sheeting or other non-absorbent sheathing; or</td>
<td>Spacing shall not exceed 2 feet centers.</td>
<td></td>
</tr>
<tr>
<td>(b) tile, slate or asbestos cement.</td>
<td>Spacing shall not exceed 2 feet centers.</td>
<td>Spacing shall not exceed 2 feet centers.</td>
</tr>
<tr>
<td>Widths shall be increased to a minimum of 8 in. where the unsupported length of rafter exceeds 7 feet, and depths shall be increased by 1 in. for each additional 2 feet or portion thereof by which the unsupported length of rafter exceeds 7 feet. Unsupported length of rafters shall not exceed 11 feet.</td>
<td>Spacing shall not exceed 2 feet centers.</td>
<td></td>
</tr>
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<td>Spacing shall not exceed 2 feet centers.</td>
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