### Purpose

<table>
<thead>
<tr>
<th>Minimum Sizes of Finished Timber (Tolerances of 1 in 10 Allowed)</th>
<th>Other Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hardwood, Oregon, Cypress or other &quot;D&quot; Group Timbers</td>
<td></td>
</tr>
<tr>
<td><strong>Roof battens supporting:</strong></td>
<td></td>
</tr>
<tr>
<td>(a) 2 in. x 1½ in. or</td>
<td>The larger dimension in each</td>
</tr>
<tr>
<td>3 in. x 1½ in. or</td>
<td>group of timber shall be used</td>
</tr>
<tr>
<td>any other sheeting; or</td>
<td>where the spacing of the rafters</td>
</tr>
<tr>
<td>1½ in. x 1½ in. or</td>
<td>exceeds 6 feet.</td>
</tr>
<tr>
<td>1 in. x 1½ in. or</td>
<td></td>
</tr>
<tr>
<td>1½ in. x 1½ in. or 1½ in. x 1½ in. other &quot;D&quot; group timbers.</td>
<td></td>
</tr>
<tr>
<td>(b) 2 in. x 1 in. or</td>
<td></td>
</tr>
<tr>
<td>3 in. x 1 in. or 3 in. x 1 in. or 1½ in. x 1½ in.</td>
<td></td>
</tr>
<tr>
<td>1½ in. x 1½ in. or 1½ in. x 1½ in. other &quot;D&quot; group timbers.</td>
<td></td>
</tr>
<tr>
<td>(c) the spacing of rafters is 2 feet centres.</td>
<td></td>
</tr>
<tr>
<td>(d) supporting rafters...</td>
<td></td>
</tr>
<tr>
<td>4 in. x 2 in. or</td>
<td>Spacing shall not exceed 7 feet</td>
</tr>
<tr>
<td>4 in. x 3 in. or</td>
<td>centres.</td>
</tr>
<tr>
<td>(e) supporting corrugated iron, asbestos cement or similar</td>
<td>Depths shall be increased by</td>
</tr>
<tr>
<td>sheet roofing.</td>
<td>2 in. for each additional</td>
</tr>
<tr>
<td>3 in. x 2 in. or</td>
<td>2 feet or portion thereof by</td>
</tr>
<tr>
<td>4 in. x 2 in. or</td>
<td>which the span exceeds 8 feet</td>
</tr>
<tr>
<td>4 in. x 3 in. or</td>
<td>centres.</td>
</tr>
<tr>
<td>(f) Not exceeding 7 feet in length; or</td>
<td>Widths shall be increased to</td>
</tr>
<tr>
<td>3 in. x 2 in. or</td>
<td>a minimum of:</td>
</tr>
<tr>
<td>3 in. x 3 in. or</td>
<td>(i) 2 in. where spans exceed</td>
</tr>
<tr>
<td>4 in. x 3 in. or</td>
<td>14 feet centres; or</td>
</tr>
<tr>
<td>(g) exceeding 7 feet in length...</td>
<td>(ii) 3 in. where spans exceed</td>
</tr>
<tr>
<td>3 in. x 2 in. or</td>
<td>14 feet centres.</td>
</tr>
<tr>
<td>4 in. x 3 in. or</td>
<td></td>
</tr>
<tr>
<td>Collar ties ...</td>
<td></td>
</tr>
<tr>
<td>3 in. x 2 in. or</td>
<td></td>
</tr>
<tr>
<td>4 in. x 2 in. or</td>
<td></td>
</tr>
<tr>
<td>(h) Edges and Hills ...</td>
<td></td>
</tr>
<tr>
<td>5 in. x 1 in. or</td>
<td></td>
</tr>
<tr>
<td>6 in. x 1 in. or</td>
<td></td>
</tr>
<tr>
<td>(i) Valleys ...</td>
<td></td>
</tr>
<tr>
<td>6 in. x 1½ in. or</td>
<td></td>
</tr>
<tr>
<td>6 in. x 1½ in. or</td>
<td></td>
</tr>
<tr>
<td>(j) Celuding and wall battens.</td>
<td></td>
</tr>
<tr>
<td>(a) Where the spacing of joints or studs does not exceed</td>
<td></td>
</tr>
<tr>
<td>18-inches.</td>
<td></td>
</tr>
<tr>
<td>14 in. x 1 in. or</td>
<td></td>
</tr>
<tr>
<td>15 in. x 1½ in. or 1½ in. x 1½ in. other &quot;D&quot; group timbers.</td>
<td></td>
</tr>
<tr>
<td>(b) Where the spacing of joints or studs exceeds 18-inches.</td>
<td></td>
</tr>
<tr>
<td>2 in. x 1 in. or</td>
<td></td>
</tr>
<tr>
<td>3 in. x 1½ in. or 1½ in. x 1½ in. Cypress; 2 in. x 1 in.</td>
<td></td>
</tr>
<tr>
<td>2 in. x 1½ in. or 1½ in. x 1½ in. other &quot;D&quot; group timbers.</td>
<td></td>
</tr>
</tbody>
</table>

(iii) For the purposes of this subclause "span" shall mean the New paragraph, distance between the supports of a structural member and "spacing" shall mean the distance apart which structural members are set.

27/2/58.

*Remembered, 26/5/72.*
(b) Notwithstanding the provisions of subclause (a) of this clause, the council may permit the use in the construction of buildings of timber not complying with the requirements of that subclause if the council is satisfied that the building will be structurally sound:

Provided that, in the case of any application for approval to erect a building in pursuance of this subclause, where the council is not otherwise able to satisfy itself beyond doubt that such building will be structurally sound, the person making application for approval to erect such building shall, if the council so requires, furnish a certificate by a structural engineer approved by the council that the building will be structurally sound.

(c) ... ... ... ... ... ... ...

(d) Where the outer part of the external wall of any building of timber frame construction is of brick 44 inches thick properly constructed and with sufficient footings the external wall shall not be deemed to be a brick wall for the purposes of subclause (b) of clause 32 of this Ordinance.

(e) No building of more than two storeys in height shall be of timber frame construction.

Steel Frame Construction.

18A. In building construction of steel framing, the spacing of studs shall not exceed 2-feet centres and such studs shall be nogged with two rows of nogging between the floor and the ceiling of each storey of the building.

Floor Joists.

18A. Floor joists shall not be built into a wall of brick, stone, concrete or the like, where the underside of the joists is less than six feet above the inside ground level adjacent to the base of the wall.
Termite shields in buildings.

18c. (a) This clause shall apply to all buildings in which the walls or floors of any storey next above the natural ground or finished ground surface are of timber-frame construction.

(b) Termite shields shall, if required by the Council, be fitted to the tops of all piers, columns or stumps supporting timber floor framing.

(c) Termite shields shall, if required by the Council, be fitted in any wall or other structure of concrete or of masonry supporting timber-frame walls and floors in a storey next above the natural ground or finished ground surface. Any such shields required shall be fitted at a level, in or on the supporting wall or other supporting structure concerned, that is below the level at which the wall or floor is supported.

(d) Such termite shields shall be of:
   (i) galvanised steel of minimum thickness 0.0196 inch;
   (ii) zincannized steel of minimum thickness 0.0236 inch;
   (iii) sheet copper of minimum thickness 0.0156 inch;
   (iv) stainless steel of minimum thickness 0.0156 inch;
   (v) aluminium or aluminium alloy of minimum thickness 0.0174 inch and bitumen-coated on each face;
   (vi) alloys of copper and zinc of minimum thickness 0.0174 inch; or
   (vii) any other material which, in the opinion of the Council, is adequate for the purpose.

Awnings and verandahs.

19. The Council may require that any or all awnings or verandahs proposed to be erected over a public place shall be of the cantilever type.

Walls.

Footings.

19d. s. 813 (3).

20. (a) Every person who shall erect a building of brick, stone, concrete, or the like shall construct every wall of such building, unless built upon a hard rock or hard dry laminated shale foundation, to rest upon suitable footings constructed of brick, stone, concrete or the like.

(b) He shall cause the projection of the bottom of the footing on each side of such wall to be at least equal to one-half the thickness of the wall at its base, unless an adjoining wall interferes, or unless the wall is upon the boundary of the land, in which case the projection may be omitted on the side of the boundary, or where the wall adjoins.
(c) He shall also cause the diminution of the footings to be in regular offsets, unless the footings be of concrete.

(d) The height from the bottom of such footings to the base of the wall shall be at least equal to two-thirds of the thickness of the wall at its base: Provided that when the footings are of reinforced concrete the Council may permit the height to be less: And provided further that it shall not in any case be less than nine inches.

(e) Footings to walls of brick in cement mortar shall be of same width and height as those to walls of the same thickness not built in cement mortar.

(f) (i) Notwithstanding the provisions of subclauses (b) to (e) inclusive of this clause pier and beam or other footings not complying with the provisions of the said subclauses may be adopted where such footings are designed and constructed in accordance with the provisions of By-law No. 54 made under the Sydney Corporation Act, 1932-1947, and deemed to be an Ordinance under the Local Government Act, 1919:

(ii) Detail plans of such footings shall be submitted to the Council for approval.

(g) All footings shall be capable of carrying the full dead and live loads superimposed thereon and the bearing pressure on the foundations under the footings shall not exceed the following intensities for the various kinds of materials.

<table>
<thead>
<tr>
<th>Kind of Material</th>
<th>Tons per square foot</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alluvial soil, made ground</td>
<td>2</td>
</tr>
<tr>
<td>Soft clay or loam</td>
<td>1</td>
</tr>
<tr>
<td>Confined wet sand</td>
<td>1½</td>
</tr>
<tr>
<td>Ordinary clay and dry sand mixed with clay</td>
<td>2</td>
</tr>
<tr>
<td>Dry sand and dry clay</td>
<td>3</td>
</tr>
<tr>
<td>Hard clay and firm coarse sand</td>
<td>4</td>
</tr>
<tr>
<td>Friable shale</td>
<td>6</td>
</tr>
<tr>
<td>Shale rock</td>
<td>8 to 10</td>
</tr>
<tr>
<td>Soft sandstone (free from defects to a depth of three feet)</td>
<td>12</td>
</tr>
<tr>
<td>Medium sandstone (free from defects to a depth of four feet)</td>
<td>20</td>
</tr>
<tr>
<td>Hard sandstone (free from defects to a depth of six feet)</td>
<td>30</td>
</tr>
</tbody>
</table>

Where the foundations are on the boundary of the site the allowable intensities of bearing pressure shall be one-third less than the abovementioned values in the case of shale rock and all sandstone.
Damp-proof Course and Damp-proofing.

21. (1) Every person who shall erect a building constructed wholly or
partly of masonry or of timber frame construction or of any material
readily permeable by water shall provide and insert damp-proof courses of
a material which has been approved by the Department of Local Govern-
ment as complying with the appropriate standard specification approved
by such Department for damp-proof courses: Provided that the Council
may permit the omission of damp-proof courses from sheds, outbuildings
or the like.

(3) Damp-proof courses shall be inserted in walls and to or on all
piers to their full width, and in such manner that there shall be no open
spaces, cracks, or gaps in the damp-proof courses along the full length of
the walls or piers. Where a wall or pier is constructed of hollow concrete
blocks in which the block cavities extend to the horizontal bonding faces
of the blocks, damp-proof courses shall fully cover the solid portions of the
horizontal bonding faces of the blocks immediately below the damp-proof
course and shall extend internally ½ inch beyond the edges of the cavities.

(3) Damp-proof courses shall be inserted in all walls and in or on
all piers in such positions and in such manner that—

(a) moisture from the ground shall be prevented from reaching the
lowest floor timbers and the walls above the underside of the lowest
floor joists, or in the case of any suspended floor constructed of a
material other than timber shall be prevented from reaching higher
than three inches below the underside of such floor or the sup-
porting beams or girders;

(b) where a solid, concrete or paved floor is laid on the ground or on
filling, moisture from the ground shall be prevented from pen-
etrating the adjoining walls beyond a point not less than ½ inch
and not more than 4 inches above the finished surface of such floor;

(c) where floors are below outside ground level, moisture shall be
prevented from reaching the inner face of external walls;

(d) where cavity walls are used, moisture penetrating the outer portion
of walls shall be prevented from reaching the floor timbers or the
inner portion of all walls above the underside of the lowest floor
timbers;

(e) moisture penetrating the chimney shall be prevented from reaching
any portion of the building below the finished roof surface;

(f) moisture penetrating parapets or other walls above the roof shall
be prevented from reaching any portion of the building below the
finished roof surface or the top of the roof gutter as the case may
be, and where cavity walls are used, such damp-proof courses shall
be inserted either one course higher in the outer portion of walls than in the inner portion, or one course higher in the inner portion of walls than in the outer portion; Provided that where cavity walls are used and such damp-proof course is inserted one course higher in the outer portion of walls than in the inner portion, lengths of damp-proof course shall be seam jointed;

(g) moisture penetrating timber frame walls or the outer portion of cavity walls shall be prevented from reaching the inner face or the inner portion of such walls above or about window, door and other frames or openings.

Provided that where lead is used as a damp-proof course for the purposes of paragraphs (e) and (f) of this subclause such lead shall be not less in weight than three pounds per square foot.

(4) Every person who shall erect a building shall prevent the access of moisture to the space between the walls of the building and the walls of existing buildings contiguous thereto by flashings or by other approved means.

(5) In cavity walls the cavity shall extend not less than 6½ inches below the damp-proof course.

(6) Every person who shall erect a building shall so construct and treat all walls below or partly below ground level and all floors of basements, cellars, shafts, lift wells and the like as to prevent moisture from the ground penetrating such walls and floors.

(7) Every person who shall erect a building shall so construct, finish or face all external walls as to prevent the penetration of moisture to the inner face of such walls. Where exposed to the weather joints in wall finishings and veneers shall be filled or sealed and edges of metal veneers shall be sealed with durable water proofing material or by other approved means to prevent penetration of moisture.

(8) In addition to the requirements of paragraph (e) of subclause (3) of this clause there shall be built in to the chimney at or near the finished roof surface a tray either of galvanised iron of not less than 24 gauge coated on both sides with a bituminous compound or of copper of not less than 26 gauge which shall extend internally 1½ inches beyond the inner face of the chimney, shall be turned up to permit an aperture in the chimney having dimensions of 1 inch less all round than the internal dimensions of the chimney, shall be made waterproof at angles and shall have gussets sweated or brazed on. Externally the tray shall extend sufficiently beyond the outer face of the chimney to be clear of the masonry and shall be turned up or down as may be necessary so as to discharge water above the finished roof surface.
22. (c) The materials to be used in the external walls of any building shall be subject to the approval of the Council.

(5) If built of masonry the external walls of a building shall be not less than 8 inches in nominal thickness: Provided that the walls of factories, warehouses, garages, laundries, privy closets, tool sheds and the like whether or not they are to be built as part of another building, may, if the council so permits, be less than 8 inches in nominal thickness. Provided also that where such walls exceed 10 feet in height, the council may require a certificate from a practising structural engineer as to the structural adequacy of the walls.

(c) (i) Cavity walls may be built provided the two sections are securely tied together and when used the combined nominal thickness of the inner and outer parts shall be deemed to be the nominal thickness of the wall.

(ii) Where brackets are used to support the outer section of cavity walls on the inner section such brackets shall be cast into the floor and spaced horizontally at centres not exceeding three feet at each floor level and each such bracket shall be capable of supporting a load of not less than 1,000 pounds at the centre of gravity of the outer section of such walls and shall, in the case of cast or mild steel brackets, be protected against corrosion by galvanising or by other approved means:

Provided that in buildings over five storeys in height, where any part of such walls is not provided with windows, doors or similar openings at intervals not exceeding five storeys throughout the whole height of such part, such outer section shall be supported on such inner section continuously throughout the whole length of such part at intervals not exceeding five storeys throughout the whole height of such part by means other than brackets.

(d) ... ... ... ... ... ... ... ... Subclause omitted, 9/10/70.

(e) Where cavity walls are used weep-holes shall be left at foot of cavity not more than 6 feet apart, and over all damp-proof courses inserted to protect walls weep-holes shall be left not more than 3 feet apart.

(f) The Council may with the approval of the Governor define any portion of the area and by resolution prohibit the erection within that portion of buildings with external walls of materials other than brick, stone, or concrete, or the like materials.
Provided that no such resolution shall prohibit the erection within such portion of the area of a dwelling of timber construction the outer part of the external wall of which is of masonry construction, properly constructed and with sufficient footings.

\textit{Brickwork Masonry (other than Sand-lime Brickwork).}

29. (a) This clause shall apply to masonry of—

(i) burnt clay or shale bricks; and

(ii) concrete bricks.

(b) Masonry referred to in subclause (a) of this clause shall be designed and erected in accordance with such requirements as are set out in Sections 1, 2 and 3 and Appendix D of Australian Standard CA47—1969 "S.A.A. Brickwork Code", as amended from time to time, and in addition shall be designed and erected in accordance with such requirements as are set out in—

(i) sections 4, 5, 6 and 7 of Australian Standard CA47—1969 "S.A.A. Brickwork Code", as amended from time to time; or

(ii) Standard Specification No. 12 "Walls and Disengaged Columns or Piers of Brick or Stone" as approved by the Minister for Local Government and published in the Gazette.

(c) Where a building is erected in accordance with paragraph (i) of subclause (b) of this clause, the following provisions shall apply—

(i) The compressive strength figures used in the design calculations shall be based on the known compressive strength of the bricks to be used in the walls.

(ii) If the known compressive strength of the bricks exceeds 7,000 pounds per square inch, the design calculations shall be based on a maximum figure of 7,000 pounds per square inch.

(iii) Bricks shall comply with the following transverse strength requirements, according to the compressive strength figures used in the design calculations:

(a) \textit{Compressive strength not exceeding 3,600 pounds per square inch}—no brick shall have a transverse strength of less than 250 pounds per square inch and the average transverse strength of the bricks shall be not less than 300 pounds per square inch.

(b) \textit{Compressive strength exceeding 3,500 pounds per square inch}—no brick shall have a transverse strength of less than 290 pounds per square inch and the average transverse strength of the bricks shall be not less than 400 pounds per square inch.
The Council may require the submission of evidence that the bricks meet the relevant requirements of paragraph (iii) of this subclause and that compressive strength is not less than that used in the design calculations.

(iv) Where the building is to contain four storeys the Council may require the submission of a certificate by a practising structural engineer that all load-bearing walls and other structural members in the building will be structurally sufficient to carry the loads imposed on them and that the relevant requirements of this clause as to permissible stresses in walls of brickwork will be met.

(d) For the purposes of this clause, the following provisions of Australian Standard CA47—1969 "S.A.A. Brickwork Code" shall not apply:

(i) The definition of “brick” in rule 1.4.
(ii) Rule 2.1.2—Clay Bricks.
(iii) Rule 2.1.3—Concrete Bricks.
(iv) Rule 2.3—Damp-proof Courses, Flashings and Weatherings.
(v) Rule 3.7—Prevention of Moisture Penetration.
(vi) The second paragraph of rule 5.1—Supervision.
(vii) Rule 6.9—Sound Insulation Tests.

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23A. ... ... ... ... ... ... ...

Brickwork Masonry—Sand-lime Brickwork.

24. Masonry of sand-lime (calcium silicate) bricks shall be designed and erected in accordance with clause 23 of this Ordinance as though it was masonry of burnt clay and shale bricks and notwithstanding the provisions of rule 1.1 (Scope) of Australian Standard No. CA47—1969 "Australian Standard Rules for Brickwork in Buildings".

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Heading omitted, 9/10/70.
Clause omitted, 9/10/70.
Substituted heading, 9/10/70.
Clause amended, 21/12/46, 25/2/48 and 20/11/57.
Substituted clause, 28/8/69.
Amended, 29/1/69 (as amended, 27/3/69).
Substituted clause, 9/10/70.
O. 71. 40

Stonework Masonry.

26. Stonework Masonry shall be designed and erected in accordance with such requirements as are set out in Standard Specification No. 12 "Walls and Disengaged Columns or Piers of Brick or Stone" as approved by the Minister for Local Government and published in the Gazette.

Clause omitted, 28/8/55.

27. . . . . . . . . . . . . . .

Concrete Block Masonry.

27A. (a) Concrete block masonry shall be designed and built in accordance with such requirements as are set out in Australian Standard CA32—1967 "S.A.A. Code for Concrete Block Masonry", as amended from time to time.

(b) For the purposes of this clause, the following provisions of Australian Standard CA32—1967 "S.A.A. Code for Concrete Block Masonry" shall not apply:

(i) Rule 14.1—Approved.
(ii) Rule 4.10—Use of Existing Walls.
(iii) Rule 4.11—Damp-proof Courses.

(c) Notwithstanding the provisions of subclause (a) of this clause, a free-standing wall that is not subject to any superimposed load, other than wind load, and has no effective lateral support, shall be so designed and erected that—

(i) its height above any footing or base does not exceed—

(a) five times its thickness if a damp-proof course is inserted in the wall; or

(b) eight times its thickness in other cases; and

(ii) the wind loading requirements specified by Part II of Standard Association of Australia Interim Code No. 350 "Minimum Design Loads on Buildings" are met.

(d) Notwithstanding anything to the contrary in Australian Standard A87—1963 "Concrete Blocks for Masonry Construction", as amended from time to time, the Council may permit in any wall of a garage, laundry, privy closet, tool shed, or the like, any of the classes of concrete blocks referred to in that Standard.
Special Masonry.

27A. (a) The Council may permit the erection of buildings of masonry construction in which—

(i) the thickness of the walls is less than that prescribed by or required pursuant to clauses 22, 23, 24, 25 or 27A of this Ordinance; or

(ii) the walls are of masonry construction not referred to in clauses 23, 24, 25 or 27A of this Ordinance,

if such buildings are erected in accordance with this clause.

(b) If the masonry described in subclause (a) is—

(i) load-bearing—the building shall not exceed two storeys in height;

(ii) non-load-bearing—the masonry shall be fully supported at the level of every floor by—

(a) frame construction;

(b) rigid construction effectively functioning as frame construction;

(c) brickwork masonry construction complying with clause 23 or clause 24; or

(d) stonework masonry construction complying with clause 25; or

(e) concrete block masonry construction complying with clause 27A.

(c) In the case of any proposal to build under the conditions of this clause where the council is not otherwise able to satisfy itself beyond doubt that the whole or any part is acceptable, it may require the submission of a certificate by a practising structural engineer, or other person or body approved by the council, certifying that when completed the building will be structurally sound. Such statement shall set forth in detail the bases on which it is given and the extent to which the engineer, person or body has relied on relevant specifications, rules, codes of practice or publications with respect to materials and methods of construction.

Party walls.

Ibid. e. 312 (4), a. 312 (7).

28. (a) All party walls to separate any two complete buildings (whether such buildings are of timber or not) shall be of brick, stone, concrete, or other fire-proof material, and, except in the case of reinforced concrete, shall be not less than 9 inches in thickness.

(b) Such party walls if of reinforced concrete shall be not less than 6 inches in thickness.

(c) All such party walls shall extend up to the underside of the roof covering.

(d) Structural timber shall not be placed at a less distance than 4½ inches from the centre of any such party wall.
Party fence walls.

(a) Party fence walls, if of brick, stone, concrete, or the like, up to 6 feet in height, shall not be less than 4½ inches in thickness, and shall be strengthened by 4½-inch piers properly spaced, equal to not less than 10 per cent. of the length of the wall.

(b) Such party fence walls above 6 feet in height shall be not less than 4½ inches in thickness for the top 6 feet, and shall be increased by 4½ inches in thickness for every additional 6 feet in height or fraction thereof, with piers as abovementioned.

(c) Footings for such party fence walls where not on rock shall be not less than twice the thickness of the wall at its base.

Rooms.

Size—Cubic space.

§ 215. (c) The area of the floors of all the habitable rooms other than a kitchen in a building shall, taken together, average not less than 100 square feet per habitable room.

(b) A habitable room, other than a kitchen, shall not in any case have a floor area of less than 80 square feet or a cubic space of less than 720 cubic feet measured below 9 feet in height or 840 cubic feet measured below 8 feet in height.

(c) In each dwelling-house and flat at least one habitable room shall have a minimum floor area of 144 square feet and a minimum cubic space of 1,296 cubic feet measured below 9 feet in height or 1,152 cubic feet measured below 8 feet in height. Except in a bed-living-room flat, there shall be at least one other habitable room with a minimum floor area of 100 square feet and a minimum cubic space of 900 cubic feet measured below 9 feet in height or 800 cubic feet measured below 8 feet in height.

(d) In calculating the floor area or cubic space of a room for the purposes of subclauses (a), (b), or (c) of this clause, the floor area and cubic space of an alcove or other space within such room for the preparation of food shall be excluded from such calculations.

(e) The minimum floor area of a fully enclosed kitchen shall be—

In a combined bed-living-room flat—48 square feet.

In a one-bedroom flat or dwelling-house—60 square feet.

In a two-bedroom flat or dwelling-house—72 square feet.

In all other cases—80 square feet.
(f) Where, in lieu of a fully enclosed kitchen, an alcove or other space within a room is provided for the preparation of food, the required minimum area of such room shall be increased by the following:—

In a one-bedroom flat or dwelling-house—50 square feet.

In a two-bedroom flat or dwelling-house—62 square feet.

In all other cases—70 square feet.

**Habitable Rooms—Height.**

31. (a) Except as provided in subclause (b) of this clause every habitable room shall be for at least two-thirds of the area of its floor not less than 8 feet in height and shall not in any part be less than 7 feet in height.

(b) Where any wall of a habitable room is not perpendicular to the floor, the minimum height of 5 feet referred to in subclause (a) of this clause shall not apply to the part of the room adjacent to such wall if—

(i) the angle formed by the floor and a line drawn from the junction of the floor and the wall to a point on the wall 5 feet above the floor level is not less than 70 degrees; and

(ii) the Council is satisfied that there will be no undue interference with the use of the room for habitable purposes.

(c) Any part of a habitable room that is less than 5 feet in height in accordance with this clause shall not be counted as floor area in calculating, for the purposes of subclause (a) of this clause, the proportion of the area of the floor that is less than 8 feet in height.

(d) Nothing in this clause applies to any room used or to be used as an office, shop, factory or workroom.

**Rooms for Places of Assembly.**

32. (a) A building in which there is a room designed intended or adapted to be used for the assembling of persons for any purpose, such room being situated upon the first or any higher floor above the ground floor and having a floor area of 450 or more superficial feet, and for which the plans have not been approved under the Theatres and Public Halls Act, 1908, shall be designed and constructed in compliance with the following provisions in addition to the general provisions in this Part.

(b) If the room be on the first floor it shall be provided with two exits.

(c) If the room be on the second or any higher floor above the ground floor it shall be provided with two exits, and there shall also be provided two staircases leading from the ground floor to the floor on which the room is situated, or one such staircase and a fire escape.
(d) Such exits and staircases and the passages connecting them shall be of a total width calculated in the proportion of 20 inches for every 600 superficial feet of floor area, or fraction thereof, in such room; but no passage, stair, or exit shall be less than 3 feet 6 inches in width nor more than 10 feet in width.

(e) Such stairs shall be uniform throughout with risers not more than 7 inches high and treads not less than 10 inches wide exclusive of nosings, if any. Each flight of stairs shall contain not less than three nor more than fifteen risers. Landings shall be half-space or quarter-space, and there shall be no winders. There shall be hand-rails on each side securely fixed, and staircases over 6 feet in width shall have a centre hand-rail.

(f) The stairs and landings shall be of such strength as to be capable of carrying with absolute safety the largest number of people who may reasonably be expected to use them at one time.*

(g) All doors used as exit doors from any such room shall, except where otherwise approved, be hung in two folds fitted with “panic” bolts, and be made to open outwards towards the thoroughfare or way. All doors between such rooms and the open air shall be hung so as not to obstruct when open any gangway, passage, staircase, or landing. A door shall not open immediately upon a flight of steps, but a landing of at least equal depth to the width of the door shall be provided between such steps and such doorway.

LIGHTING AND VENTILATION.

IMD. 4. 318 (o) (a).

Under floors.

33. (a) (i) Where the lowest floor of a building is of timber frame construction and such floor is supported by walls or piers, there shall be provided, between the underside of every joist upon which the floor is laid and the ground surface or upper surface of the asphalt or concrete with which the ground or site of the building may be covered, a space at least 12 inches clear, except for bearers, in every part.

(ii) Such space shall be ventilated and cross-ventilated by means of evenly distributed openings in the external walls having an unobstructed area of not less than 1 square inch per linear foot of external wall:

Provided that—

(a) the Council may approve a reduction of the area of such openings where it is satisfied in the particular case that by reason of the nature of the site, or the design of the building, or the provision of an impervious covering over the ground surface beneath the

*It is recommended that stairs and landings should be constructed so as to sustain a live load of not less than 100 lb. per square foot, which includes a factor of safety of four.
building, or a combination of those factors, undue deterioration of the floor timbers will not occur as a result of the reduced area of the openings, or

(b) the Council may require an increase in the area of such openings where it considers in the particular case that by reason of the nature of the site, or the design of the building, such increase is necessary to prevent undue deterioration of the floor timbers.

(iii) In cavity wall construction, the openings specified by paragraph (ii) of this subclause shall be provided in the outer section of the wall with openings of the same area provided opposite thereto in the inner section.

(iv) Internal walls constructed in the under-floor space shall be provided with openings sufficient to maintain the required ventilation and cross-ventilation of the space below the floor.

Rooms—Ventilation.

(b) (i) Every room designed, intended or adapted to be used as a bathroom, shower-room, privy-closet, slop sink compartment, urinal compartment or laundry and any room in a commercial building designed, intended or adapted to be used only for the bulk storage of goods shall be so constructed that for every 1,000 cubic feet or part thereof of air space in the room there shall be 8 square inches at the least of uninterrupted ventilation to the outer air by means of air-bricks situated at or near the level of the ceiling or any other means of ventilation may be used if the Council is satisfied that such means is not less efficient than air-bricks.

(ii) In a building which is to be more than two storeys in height and which is to be constructed with external cavity walls, any room to which paragraph (i) of this subclause applies may, notwithstanding the provisions of that paragraph, be ventilated by means of air-bricks as follows:

Every such room shall be so constructed that for every 1,000 cubic feet or part thereof of air space in the room there shall be 8 square inches at the least of uninterrupted ventilation through the inner portion of a cavity wall facing the outer air by means of air-bricks situated at or near the level of the ceiling of the room. Air-bricks shall be inserted in the outer portion of such cavity wall only at the lowest and highest parts of the cavity so as to provide uninterrupted ventilation to the outer air either of an aggregate area at least equal to the aggregate area of the uninterrupted ventilation required by this paragraph to be provided in the inner portion of such wall or of such greater area as may be required by the Council. Where any horizontal obstruction at any level throughout the whole height of such cavity wall would interrupt the free circulation of air within the cavity through more than 90 per cent. of the length of the cavity at that level, such obstruction shall be deemed to divide the cavity wall into sections and the requirements of this paragraph shall apply to each such section as though it were a separate cavity wall.
Rooms—Windows.

(c) (i) In this subclause and in subclauses (d) and (e) of this clause, unless inconsistent with the context or subject matter—

(a) “room" means habitable room (including kitchen, partially enclosed space in the nature of a cooking alcove, and room used for the preparation of food), bathroom, enclosed laundry, privy-closet, slop sink compartment and urinal compartment;

(b) where there is a partially enclosed space in the nature of a cooking alcove in a room, such space and the remainder of such room shall be deemed to be separate rooms.

(ii) In paragraph (iii) of this subclause, “exterior wall" means wall which faces the outside air, and includes a wall which faces a light-well or court.

(iii) A room shall, except as otherwise provided in this Ordinance, have at least one window which is in an exterior wall and which complies with the provisions of subclauses (d) and (e) of this clause.

Windows—Lighting.

(d) For the purposes of lighting, the effective glass area of the window, or, where there is more than one window, the windows, of any room enumerated in the first column of the Table below shall not be less than that specified opposite thereto in the second column of that Table, or one-tenth of the floor area of that room, whichever is the greater.

<table>
<thead>
<tr>
<th>Room</th>
<th>Effective glass area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kitchen or partially enclosed space in the nature of a cooking alcove or room used for the preparation of food</td>
<td>10 square feet</td>
</tr>
<tr>
<td>Enclosed laundry</td>
<td>6 square feet</td>
</tr>
<tr>
<td>Bathroom</td>
<td>3½ square feet</td>
</tr>
<tr>
<td>Privy-closet, slop sink compartment or urinal compartment</td>
<td>2 square feet</td>
</tr>
<tr>
<td>Any room not enumerated above</td>
<td>1½ square feet</td>
</tr>
</tbody>
</table>

Provided that where, in pursuance of the proviso to subclause (e) of this clause, the Council approves the installation of a means of ventilation other than that required by that subclause, the requirements of this subclause in respect of lighting shall not apply, and such special requirements in respect of lighting as the Council imposes shall be carried out.
Windows—Ventilation.

(e) For the purposes of ventilation, the window, or, where there is more than one window, the windows, of any room shall be so designed as to be capable of permitting unobstructed ventilation from the outside air to that room by means of the opening of the glass area, adjustable louvres or other adjustable ventilating devices contiguous to the glass area to an extent equivalent in area to not less than one-half of the minimum glass area required by or under subclause (d) of this clause in respect of that room: Provided that in a room other than a habitable room the Council may approve the installation of any other means of ventilation if the Council is satisfied that such means is not less efficient.

Height of Windows.

(f) The top of a window of an enclosed laundry or of a kitchen or partially enclosed space in the nature of a cooking alcove or room used for the preparation of food shall not be less than 6 feet 8 inches from the floor.

French window.

(g) For the purposes of this clause a French window shall be deemed to be a window.

Verandahs and Balconies.

(i) A verandah or balcony or any part thereof shall not be completely enclosed unless such enclosed space complies in all respects with the provisions of this Ordinance relating to habitable rooms, bathrooms, laundries or privy-closets according to the purpose for which any such enclosed space is intended to be used.

(ii) A verandah or balcony or any part thereof which is partially enclosed shall comply with the following conditions:

(a) The external side or sides of the verandah or balcony or part thereof shall not be enclosed to a greater height than 3 feet 6 inches above the level of the floor except with windows, louvres, or the like.

(b) An unobstructed opening to the external air equal to not less than one-twentieth of the area of the floor of the enclosed space shall be maintained as near to the level of the ceiling as practicable: Provided that where any adjoining room or rooms do not comply with the appropriate requirements of subclause (b) to (g) inclusive of this clause independently of any ventilation and window openings on to the enclosed space such unobstructed opening to the external air shall be equal to not less than one-fifth of the area of the floor of the enclosed space.

(c) Windows, louvres or the like shall be so constructed as to permit the free and direct access of light and external air to any adjoining room or rooms.
Enclosure of Cooking Alocs.

(i) A partition or other means of enclosure screening a cooking alcove shall have an opening of not less than 6 feet 8 inches in height and not less than 4 feet in width or half the width of the alcove, whichever is the greater. Such opening shall not be enclosed with doors.

Airlocks for Privy-closets and Urinal Compartments.

(j) (i) Subject to paragraph (iii) of this subclause, an airlock having a floor area of not less than 20 square feet shall be provided in any case where a privy-closet or urinal compartment within a building would otherwise be entered directly from any habitable room, room used for the manufacture, preparation or storage of food for human consumption or room used as a factory, workshop or work place.

(ii) An airlock referred to in paragraph (i) of this subclause shall be lighted by—

(a) natural lighting by means of windows or roof lights having an aggregate light transmitting area of not less than one-tenth of the floor area of the airlock; or

(b) artificial lighting to the satisfaction of the Council.

(iii) Paragraph (i) of this subclause shall not apply—

(a) where a privy-closet or urinal compartment within a building is intended solely for the private use of not more than two persons and opens off a room normally occupied by those persons only, not being a room used for the manufacture, preparation, storage or consumption of food, or as a factory, workshop or work place;

(b) to a dwelling-house or flat except where a privy-closet or urinal compartment would otherwise open directly to a kitchen; or

(c) where the Council, in accordance with the proviso to subclause (a) of this clause, approves in the case of a privy-closet or urinal compartment of a means of ventilation other than that required by that subclause.

Laundries and Kitchens.

34. A dwelling of any kind shall not be erected with the kitchen and laundry combined in one room.

Bathrooms.

34A. A gas geyser for the purpose of any bathroom shall have fitted to it a flue pipe of a diameter of not less than that of the flue spigot at the top of the geyser or other apparatus, and shall comply with the following conditions:

(a) Such flue pipe shall discharge through the roof or into the roof space or through an external wall.
(b) Flue pipes taken into the roof space shall have a clearance at the point of discharge of not less than 18 inches from roof timbers.

(c) All flue pipes shall have a continuous rise, and above the ceiling level shall slope towards the apex of the roof.

(d) All wood work within three inches of a flue pipe shall be protected by approved insulation, and no flue pipe shall be nearer than one inch to any wood work.

(e) All flue pipe bends and offsets shall be of a lobster-back type.

(f) A flue pipe shall not be fitted within cavity walls or partition walls.

(g) Every flue pipe shall be provided with a baffle, and the baffle shall be fitted vertically above the flue outlet of the heater, and as near to the ceiling of the bathroom as possible.

(h) All flue pipes terminating in the open air shall be provided with a cap.

(i) All flue pipes and fittings connected therewith shall be of materials, workmanship, and efficiency approved by the Council.

(j) Each gas heater shall be independently ventilated.

34a. Every bathroom in which a gas heater is installed shall have, in addition to the ventilation elsewhere prescribed in this Ordinance for bathrooms, an unobstructed opening or openings in a position approved by the Council for ventilation purposes of a total area of not less than 24 square inches, and situated as near to the level of the bathroom floor as practicable: Provided that this clause shall not apply in any case where ventilation is continuously provided by means of a system of air conditioning or mechanical ventilation approved by the Council.

Enclosure of Baths.

34c. A bath may be enclosed if it has a flange specially made for the purpose and if it complies with the following conditions:—

(a) There shall be free air space all round between bath and enclosure.

(b) The floor of the bathroom shall, except as specified in paragraph (b1) of this clause, extend throughout the enclosure. That portion of the floor within the enclosure shall be not less than one-half inch higher than the main portion of the bathroom floor, shall be graded to a suitable floor grating and further provided with an outlet pipe through the riser to the main portion of the bathroom floor.

(b1) The floor of the bathroom shall not be required to extend under the enclosed bath if the bathroom is at a level next above the ground surface and all joints between the enclosure and the bathroom floor and walls are made watertight.
(c) All holes made in walls or the floor shall be properly closed and outlet pipes shall have suitable mouse-proof gratings.

(d) The risers shall be of enamelled iron, terra cotta, concrete bricks or composition slabs covered with glazed tiles or other approved impervious material. In a timber-framed structure the risers may consist of wooden members not less than 3 inches by 2 inches, rendered mouse and moisture proof by a covering of asbestos cement sheeting or other approved impervious material applied both internally and externally, except in the case of a riser which may be left unlined internally if so approved.

(e) Where the floor of the bathroom extends into the enclosure, two ventilators at least 6 inches by 3 inches fixed in approved positions shall be furnished to ventilate the enclosed space, and such ventilators shall be made of metal, terra cotta, stoneware, concrete or other approved material, but not of wood, and shall be rendered mouse-proof.

(f) Where the bath abuts against a wall or walls the finishing material of the wall or walls shall overlap the upstand of the bath and the joint shall be made watertight.

Gas Wash Coppers.

342. (a) Except as provided in subclause (b) of this clause, every laundry or other room in which a gas wash coppers is installed shall have for ventilation purposes in addition to the ventilation elsewhere prescribed in this Ordinance, unobstructed openings in positions approved by the Council of a total area of not less than 120 square inches for each copper so installed. Half of the ventilation from such openings shall be not more than twelve inches above the level of the floor and the remainder shall be not less than six feet above the level of the floor.

(b) The provisions of subclause (a) of this clause shall not apply in any case where the gas wash copper has fitted to it a flue pipe which complies with paragraphs (a) to (f) inclusive of clause 344 of this Ordinance.

Floor Surfaces of Bathrooms, etc.

342. The floor surfaces of all bathrooms, shower rooms and laundries shall be of impervious material properly graded and drained. The floor surfaces of water-closets shall be of impervious material properly graded to a suitable outlet. The joint between the floor and the walls of all such rooms shall be made waterproof.
For the purposes of this clause, impervious material shall be vitreous tiles set in cement mortar; dense concrete not less than two inches thick rendered with not less than 1/8 inch cement mortar; compressed asbestos cement not less than 1/4 inch thick and having an average density of not less than 110 lbs. per cubic foot rendered with not less than 1/8 inch cement mortar; marble; terrazzo; approved metallic sheeting or other approved material impervious to water.

Glass shower screens and panels.

345. Safety glass as described in clause 440 shall be used in every glass panel or glass door enclosing or partially enclosing a shower or bath.

Windows.

R.S.A. s. 318 (24).

35. Any window, the top of which is more than 12 feet above either the ground or any external flat surface or slightly sloping roof sufficient for safety, shall be so constructed that it can be cleaned from the interior of the building.

Drainage.

Levels.

36. Every person who shall erect a building shall construct the lower storey of such building at such a level that, in the opinion of the Council, it may be practicable to construct a drain sufficient for the effective drainage of such building.

Drainage.

R.S.A. s. 318 (8).

37. (a) Every person who shall erect a building shall provide drains* sufficient for carrying away from the building all surface or rain water, and also sewers† for carrying away all sewage.

(b) Such sewer shall comply with the regulations or ordinances relating to sewers which are in force in the district.†

(c) Where practicable to lay drains and sewers otherwise, they shall not be laid beneath a building.

Sewage.

38. The plans for a building where a public main sewer is not available shall include provision for the disposal of sewage, and shall provide for the insertion of cleaning eyes and ventilators where required by the Council.

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* The roof water will be taken away by "drains"; the pipes from the kitchen sink, laundry tube, bathroom waste, &c., will be "sewers" (See definitions in section 4 of Act).† In Sydney Metropolitan District, the regulations of the Metropolitan Board of Water Supply and Sewerage. In Newcastle Metropolitan District, the regulations of the Hunter River Board of Water Supply and Sewerage. In other sewerage districts, Ordinance No. 46 re sewage.
50. The plans for a building shall include provision for carrying off rainwater from the roof thereof without causing dampness in the walls or foundations.

Fire escapes.

40. (a) Except where otherwise provided, a fire escape shall be on the outside of the building, and shall be so designed and constructed that it shall not pass across or above windows (except in the case of windows provided with self-closing fire-resisting shutters or metal frame windows filled with wired glass). It shall not overhang a public place without the permission of the Council, and such permission shall not be given in relation to any road other than a back lane.

(b) It shall be of fire-resisting construction.

(c) It shall extend from the roof (if flat) or from the top floor (in other cases) to the ground.

(d) It shall be so constructed and so fixed as to be capable of carrying with absolute safety the largest number of people who may reasonably be expected to be upon the fire escape at one time.*

(e) It shall give direct access to a public place or to a court yard, or open area connecting directly with a public place. It shall be directly accessible from each floor of the building which has not direct communication with the ground; and the doors of the building which open to the fire escape shall (if they are not sliding doors) open outward, and shall lie flat against the wall, so as not to obstruct the landings. Any doorway opening to a fire escape shall be not less than 6 feet 3 inches high and not less than 2 feet 6 inches wide.

(f) A fire escape shall have full half-landings (or quarter-landings where flights of stairs are at right angles to each other), also protecting hand-rails, and either guard-rails or wire enclosure. Winders shall not be allowed. The lowest landing, if not on the ground level, shall be not less than 15 square feet in area.

(g) The stairs of a fire escape shall be constructed with treads and risers and shall be uniform throughout, with risers not more than 8 inches, and treads not less than 6 inches exclusive of nosings, if any. Each flight of stairs shall contain not less than two nor more than eighteen risers, shall have a clear width of not less than 2 feet, and shall have clear head-room at every part of not less than 6 feet 6 inches.

* It is recommended that fire escapes be constructed so as to sustain a live load of not less than 100 lb. per square foot which includes a factor of safety of four. It is also recommended that in the construction of fire escapes and fire-resisting doors the rules of the Fire Underwriters' Association be strictly followed. Fire Escapes—See also provisions respecting Fire Escapes in the Factories and Shops Act, 1913, the Theatres and Public Halls Act, 1906, the Height of Buildings Act, 1912, the Fire Brigades Act, 1906, and any regulations made under those Acts. See also clauses 70 and 77 of this Ordinance.
“Tower-type” fire escape.

(4) Wherever in this Ordinance it is required that a fire escape shall be provided, a “tower-type” enclosed fire-resisting staircase, with fire-resisting and reasonably smoke-proof doors and windows, may be substituted for an external fire escape.

(5) In buildings 100 feet (or more) in height the fire escape shall be of the “tower-type” enclosed fire-resisting staircase with fire-resisting and reasonably smoke-proof doors and windows.

Alternative provision for blocks of buildings.

(6) As an alternative to the provision of individual fire escapes for each one of a continuous group of buildings, the Council may permit buildings to be so designed (where there is mutual agreement between the owners of buildings for the purpose) as to provide fire escape access from the roof of one building to the roof of another with a fire escape at each end of the block of buildings: Provided that each of the buildings which, by the operation of this subclause, has no fire escape, shall have its own separate staircase leading to the roof, and the door opening to the roof shall have an automatic fastening capable of being readily opened from the inside.

Notices in Fire-isolated Stairways.

40A. (a) Wherever this Ordinance requires the provision of a fire-isolated stairway in a building, a notice, in or to the effect of the following, shall be displayed in a conspicuous position at the landing on each storey level of such stairway:

OFFENCES RELATING TO FIRE STAIRS.

By virtue of Ordinance No. 72 under the Local Government Act, 1919, it is an offence to—

1. Place any thing in this stairway or any associated passageway leading to the exterior of the building, which may impede the free passage of persons.

2. Interfere with or cause obstruction or impediment to the normal operation of the self-closing fire doors providing access to this stairway.

3. Remove, damage, or otherwise interfere with this notice.

MAXIMUM PENALTY: $300.

(b) In any notice displayed in accordance with subclause (a) of this clause, the words “OFFENCES RELATING TO FIRE STAIRS,” and the words and figures “MAXIMUM PENALTY: $300.” shall be in letters and figures not less than 5/16-inch in height and all letters and figures in the remainder of the notice shall be not less than 3/32-inch in height.
Fire—Water boosting service.

41. In the design and erection of every building which is more than 75 feet in height, and is in a district where there is a public water supply, there shall, if the Council so require, be provided efficient means of boosting or increasing the pressure of the water supply to make it available and effective for service in saving the building from fire.

Existing buildings.

Skylights.

Sec. 16, 218 (21).

42. The Council may order the alteration or repair or both of any skylight in any building if such skylight be in the opinion of the Council in such a condition as to be detrimental to health or dangerous.

Miscellaneous.

Temporary use of street while building.

Sec. 16, 218 (24).

43. The Council may permit the enclosure and use of any public place in connection with the building or taking down of a building, or the alteration or repair of a building.*

Covering of Test Holes.

43A. Any person who on any land which is not enclosed with a sufficient fence dig or makes or causes to be dug or made any holes or excavations for testing the site of a building which are or are likely to become dangerous to life, shall forthwith cover or enclose such holes or excavations, and keep the same covered or enclosed in a good and sufficient manner at all times when work is not proceeding thereon or therein.

Adjoining buildings—Entry—Underpinning and Shoring.

Sec. 218 (17), sec. 219 (e).

44. (a) For the purpose of this clause the expression “building owner” means an owner who proposes to erect or is erecting a building, the plans and specifications of which have been approved by the Council.

(b) Where a building owner proposes to erect a building in close proximity to any other building (such other building being the property of another owner) and if it be necessary for him to excavate or dig out the ground against the wall of such other building, the building owner shall at his own cost shore up and underpin such wall to its full thickness and to the full depth of such excavation with proper and sufficient material in a workmanlike substantial manner. For the purpose of this subclause a building owner, his servants, agents, or workmen may at reasonable hours enter on the premises of the owner of such other building. In any such case the building owner shall pay compensation for any disturbance of business or for any damage or injury caused by such entry.

*See also Ordinance 30 (clause 44) re temporary boardings for building purposes.
(c) If, for the purpose of erecting a wall in close proximity to the existing wall of any other building as aforesaid, it be necessary to cut away any projection or part of such existing wall (such as footings, chimney-breasts, chimney-shafts, or other projections beyond the vertical face of such existing wall)—such projection or part being, in fact, an encroachment on the land of the building owner—the building owner may so cut away at the expiration of at least one week’s written notice, which he shall give to the owner of such other building:

Provided that the parts from which any such brick, stone, or concrete work is so cut away shall be again made good in a workmanlike substantial manner; and that the building owner shall use reasonable care in such cutting away and making good; but that all such work shall be done at the cost and risk of the owner of such other building:

Provided further that if the owner of such other building shall, before the expiration of such notice, give to the building owner notice in writing that he desires to carry out such work of cutting away and making good, he shall be entitled to do so at his own cost, and may enter on the land of the building owner for that purpose, but if such work be not completed by him within one month after such expiration the building owner may proceed to do or complete the same as heretofore provided.

(d) Where, under this clause, one person claims to recover the cost of work or to recover compensation from another person, the claimant shall, within fourteen days after completion of the work, serve upon such other person a written account of the cost (including the cost of all preliminary and incidental operations); such account shall give detailed particulars of class of work done, quantities, and cost at current rates, and shall allow deductions for the value at current prices of such materials the property of such other person as have been won by excavation or by pulling down or cutting into any wall or projection; and such other person may within ten days from service of such account elect to refer the claim to arbitration under the Arbitration Act, 1902, whereupon it shall be so referred and decided.

Strongrooms—Lighting, Ventilation and Safety Devices.

44A. Every strongroom shall be provided with artificial lighting and permanent ventilation to the satisfaction of the Council and with a pilot light and an approved mechanical bell which shall both be located immediately outside the strongroom and controllable only from within the strongroom.

Protective Balustrades.

44B. (a) A protective balustrade or guard shall be provided along the side of any roof that is designed for use by occupants of the building and any stairway, ramp, corridor, hallway, landing, balcony, verandah, bridge and the like attached or appurtenant to or included in a building if that side—

(i) is not bounded by a wall; and

(ii) is more than 3 feet (or 5 risers in the case of a stairway) above the finished level of the adjoining floor or ground.
O. 71. 56

(b) Notwithstanding that a protective balustrade is not required by subclause (a) of this clause, the Council may require the provision of a protective balustrade or guard along the side of any part of a building to which persons may ordinarily gain access and any path of access to a building if that side—

(i) is not bounded by a wall;

(ii) is more than 3 feet above the finished level of the adjoining floor or ground; and

(iii) the Council considers the absence of a balustrade or guard would represent an undue hazard to persons having access to that part or path.

(c) A protective balustrade or guard shall be not less than 34 inches in height, such height in the case of a stairway being measured above the nosings of the stair treads.

(d) This clause does not apply to a dwelling-house other than a guest house or boarding-house.

Glass doors, side-lights and panels.

440. (a) For the purposes of this clause, “safety glass” means—

(i) Wired glass not less than 2⁄8-inch in thickness;

(ii) Laminated glass having an overall thickness of not less than 3⁄16-inch and comprising two or more layers of glass and one or more plastic interlayers, permanently bonded together under heat and pressure;

(iii) Fully heat-treated (toughened) glass not less than 3/16-inch in thickness, stamped or embossed with the words “safety glass”, “toughened safety glass” or other ready means of identifying the safety characteristics of the glass.

(b) Except as provided in this clause, safety glass shall be used in—

(i) every glass door; and

(ii) every fixed glass panel that is so located in relation to other parts of a building as to be capable of being mistaken as a doorway or other unimpeded path of travel within the building or an unimpeded means of ingress to or egress from the building.

(c) Subclause (b) of this clause shall not apply to glass doors or glass panels which—

(i) comprise part of a dwelling-house;

(ii) are located wholly within a flat;

(iii) are provided with a firmly fixed hand-rail, guard or similar protective device across each face;

(iv) are so designed and constructed that the lowest part of the glass is more than 18 inches above the finished floor; or

(v) are so designed and constructed that the glass is not more than 18 inches in width at any part.
PART III.—DWELLING-HOUSES.

Application of Part.

48. This Part shall apply to dwelling-houses in addition to Part II, and the provisions of this Part shall, where inconsistent with the provisions of Part II, to that extent replace those provisions in relation to dwelling-houses.

Site—Minimum area.

48. The Council may by resolution fix in respect of different portions of the Municipality or Shire* the minimum size of an allotment of land upon which a dwelling-house may be erected but where such minimum has not been so fixed the minimum size of any such allotment shall be 2,500 square feet:

Provided that such minimum fixed by the Council shall not be less than 2,500 square feet:

Provided also that if an applicant, in subdividing his land provides common garden or play-ground spaces adjoining and within the subdivision, the area of any such space may be taken into account and credited proportionately to the allotments abutting on that space or on any road surrounding that space, and the actual area of each allotment may be reduced accordingly below the prescribed minimum, but not to less than one-half of such minimum, and the right granted by this proviso shall extend also to any subsequent purchaser of any such allotment:

Provided also that, in the case of an application for approval to build upon a parcel of land of less than the minimum size prescribed or fixed by this clause, such parcel being in existence as a separate parcel on 27th February, 1942, if the parcel of land contains at least 1,500 square feet the Council shall grant such application if the proposed building be suitable for approval apart from the question of the area of the site; but if the parcel contains less than 1,500 square feet the Council may grant approval to build, but shall only do so in pursuance of a resolution giving the reasons for regarding the case as an exceptional one, and any such resolution may be a resolution dealing with an individual case, or may be a general resolution dealing with a specified street or portion of a street, or a specified class of cases.

Proportion of site which may be covered.

Ibid. s. 318 (4).

47. A dwelling-house, together with its appurtenances, to be erected on an allotment, shall not occupy more than two-thirds of such allotment, and the minimum of unoccupied area shall not be less than 600 superficial feet:

* This is limited in a Shire to the portion of the Shire to which the Ordinance has been extended, vide clause 1 of this Ordinance.
Provided that this shall not prevent the Council from granting approval to the erection of a dwelling-house occupying more than two-thirds of an allotment, or with a minimum of unoccupied area of less than 500 superficial feet, in replacement of an existing dwelling-house which occupies more than two-thirds of that allotment:

Provided also that this shall not prevent the Council from granting approval to the erection of a bathroom, laundry or water closet as an addition to a dwelling-house which was erected prior to 1st January, 1922, where such dwelling-house, together with its appurtenances, would occupy more than two-thirds of the allotment or the unoccupied area would be less than 500 superficial feet:

Provided also that where situated on a site considered by the Council to be an established shopping locality the Council may permit a building which is to be a shop and dwelling combined to occupy not more than four-fifths of the allotment, subject to the unbuilt upon area being not less than 500 square feet:

Provided also that in a sewered district and in a case where the dwelling-house portion is wholly above the ground floor, the open space required by this clause may be provided in the form of a flat roof over the shop portion of the building:

Provided also that the roofs of commercial buildings may be taken into account as yard spaces for dwellings on the same allotment, if such roofs are flat and are adapted for the common use of the tenants:

Provided also that a garage erected at a low level, the roof of which serves as a portion of the garden, yard, or court, shall not be included as a building in calculating the proportion of the area of the allotment that may be occupied by a building.

Alteration of Other Buildings to Dwellings.

47a. Where it is proposed to alter a building so that it may be used as a dwelling-house the Council may require that the whole building (when so altered) shall comply with the provisions of this Ordinance which apply to a dwelling-house.

Position in Relation to Boundary Lines.

48. (a) A wall of a dwelling shall be at a distance from the boundary line of the allotment of not less than 3 feet in the case of a dwelling of one or two storesys or of 5 feet in the case of a dwelling of more than two stories: Provided that this subclause shall not apply in any case where the boundary line of an allotment is also the boundary of any public place:

Provided also that where two or more dwellings attached to each other such as are commonly known as semi-detached or terrace buildings are erected on two or more separate parcels of land and are separated from each other by party walls, the provisions of this subclause shall not apply to such party walls.
(b) Notwithstanding the provisions of subclause (a) of this clause—

(i) where the Council is satisfied in the case of a single dwelling site, compliance with the provisions of such subclause would be impracticable by reason of the levels or width of the allotment or other exceptional conditions of the site, the Council may, by resolution in the individual case, permit the erection of a wall or part of a wall in which no windows or doors are placed, at a less distance from the boundary line of the allotment than 3 feet or 5 feet, as the case may be;

(ii) in the case of a shop and dwelling combined which is to be erected on an allotment considered by the Council to be within an established shopping locality, a wall or part of a wall in which no windows or doors are placed may be erected at a less distance from the boundary line of the allotment than 3 feet or 5 feet, as the case may be.

(c) No awnings or hoods over windows or any structure or attachment likely to obstruct the access of light and air may extend upon or over the distance of the wall from any boundary line or the width of the space of any set back so as to encroach upon the specified width of three or five feet by more than one-fourth.

 Provided that nothing in this subclause shall prevent a cornice or eave which projects not more than eighteen inches from returning along the sidewalk for a distance not exceeding six feet.

(d) A window in a recess in a wall shall be deemed to be a window in such wall for the purpose of this clause.

(e) In the case of a proposal to alter any building which was erected before 1st August, 1969, the preceding provisions of this clause shall not be held to prevent the Council from granting approval to the construction of additional windows in a wall if, in the opinion of the Council, such additional windows are necessary to make the building a more healthy building.

Kitchen, laundry, and bathroom fittings.*

49. (a) Every dwelling-house shall be provided with a completely enclosed bathroom or shower room and a laundry or with a completely enclosed combined bathroom and laundry or combined shower room and laundry; Provided that a council may in any case where it considers that a bathroom or shower room or laundry may be dispensed with, exempt any building from this provision, but such exemption shall be given by resolution of the council.

* Water Storage.—As to provision of Water Tanks, etc., see s. 281 (2) of Local Government Act, 1929.
(b) Every bathroom and every combined bathroom and laundry shall be provided with a bath. Every shower room and every combined shower room and laundry shall be provided with a shower recess. Every bath and every shower recess shall have the water laid thereto.

(c) Every laundry, every combined bathroom and laundry, and every combined shower room and laundry shall be provided with wash-tubs and copper or other means of washing clothes, which shall have the water laid thereto.

(d) Where a shower recess is provided in a dwelling-house in lieu of a bath, the shower room or combined shower room and laundry shall be provided with a wash-hand-basin which shall have the water laid thereto.

(e) The minimum width of a bathroom shall be 5 feet and the minimum floor area 26 square feet. The minimum width of a shower room shall be 3 feet and the minimum floor area 18 square feet. Where a water closet is installed in the bathroom or shower room the minimum floor area of such room shall be increased by not less than 7½ square feet and such additional floor area may be in the form of a suitable recess or alcove.

(f) Where the bathroom or shower room is combined with the laundry, the minimum floor area of such bathroom or shower room shall be increased by not less than 23 square feet if wash-tubs and copper are installed therein and by not less than 12 square feet if a mechanical appliance for washing clothes is installed therein.

(g) The minimum width of a water closet compartment shall be 2 feet 9 inches and the minimum floor area 12 square feet.

(h) Where the bathroom or shower room is combined with the laundry the water closet shall be installed in a separate compartment: Provided that both a water closet and a mechanical appliance for washing clothes may be installed in the bathroom or shower room of a dwelling-house containing not more than one bedroom, in which case the minimum floor area of the bathroom or shower room shall be increased by not less than 19½ square feet.

(f) Wash-tubs, copper, mechanical appliances for washing clothes, baths or shower recesses shall not be placed or installed in the kitchen.

Large dwellings—Boarding schools, convents, &c., &c.

50. Every dwelling-house to accommodate more than twenty-five persons shall comply with the provisions of clauses 54, 55, 63 to 71 (all included) of this Ordinance.