New Type of Construction of Dwellings.

50a. The Council may approve 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 provided that—

(a) the dwelling-house complies with the requirements of the Act and the Ordinances thereunder in all matters other than structural design;

(b) the Council is satisfied that the dwelling-house will be structurally sound; and

(c) the site of the dwelling-house is not in a portion of an area in which the erection of buildings with external walls of materials other than brick, stone, or concrete, or the like materials, is prohibited in pursuance of the provisions of subclause (f) of clause 22 of this Ordinance.

Hospitals.

51. (a) Hospitals, or buildings designed or intended or adapted to be used as hospitals, shall comply with the following special provisions in addition to the other provisions of this Ordinance which apply thereto.

(b) Every hospital shall have at least two means of exit as practicable from each other, with the corridors and stairs (if any) leading to such exits of ample width for the removal of patients in case of fire:

Provided that if in any hospital building portion of the building above the ground floor is used for purposes other than the accommodation of patients and is not provided with stairs leading to the aforesaid exits of ample width for the escape of persons from such portion in case of fire, a fire escape shall be provided in addition to a main staircase, and such fire escape shall comply with the provisions of clause 40 of this Ordinance.

(c) A hospital of timber construction shall not exceed one storey in height.

(d) A hospital over two storeys in height shall be of fire-resisting construction.

(e) The minimum width of any door or doors between a ward and the two exits, or of any stair between a ward and the two exits, shall be 3 feet 6 inches, and the minimum width of any passage between a ward and the two exits shall be 4 feet; the building shall be so planned that occupied beds may be wheeled or carried from the wards to the two exits.
O. 71. 62

PART IV.—RESIDENTIAL FLAT BUILDINGS.

Application of Part.

62. This Part shall apply to residential flat buildings 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 residential flat buildings.

Access of Light and Air.

62A. No eaves 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 external wall from the side boundary line of the allotment so as to encroach upon such distance by more than one-fourth thereof: Provided that nothing in this clause shall prevent the erection of an awning or open porch in front of or adjoining an entrance to a doorway in an external wall facing or adjoining the side boundary if the Council approve of such erection.

Height.

54. (d) The height of a residential flat building shall not in any case exceed 100 feet.

(b) This clause is subject to the Height of Buildings (Metropolitan Police District) Act, 1919, in respect of buildings to which that Act applies.

(c) Where a residential flat building has a greater number of storeys above the ground floor in one part than another on account of the grade of the site, one-half the sum of the least and greatest number shall be considered the number of storeys in the application of this Part.
Fire-resisting Construction.

56. (a) A residential flat building exceeding two storeys in height shall, subject to subclause (b) of this clause, be of fire-resisting construction.

(b) The roof of a residential flat building exceeding two storeys but not exceeding six storeys in height need not comply with the requirements for fire-resisting construction if the following conditions are complied with:

(i) The material used for the roof covering shall be non-combustible;

(ii) the ceiling of the topmost storey shall have a resistance to the incipient spread of fire to the space between the ceiling and the roof covering of not less than one hour as determined by the Standard Fire Test;

(iii) internal walls of the topmost storey dividing separate flats or dividing flats from common halls shall extend to the underside of the ceiling;

(iv) any material used as roof sarking shall be of metal foil or faced with metal foil on both surfaces of the material.

(c) For the purposes of this clause, a floor or space in the nature of a floor designed, constructed or intended for the accommodation of four or more motor vehicles shall be deemed to be a storey.

Domestic Offices—kitchens, bathrooms, water-closets, &c.

56. (a) Subject to this Ordinance, comprised within each flat there shall be a bathroom or shower room, a water closet (if a suitable sewerage system is available)* and a fully enclosed kitchen or an alcove or other space within a room where food may be prepared. A kitchen sink shall be fixed, with running water, and connected with a suitable sewerage system if available. Cooking alcoves or other spaces for the preparation of food shall not be included within a bedroom or bed-living-room.

(a) ...

(1) ...

*Where no sewerage system is available, see Ordinance No. 44 or closets.
(b1) Separate laundries shall be provided in a residential flat building at the rate of one for every four flats or part thereof with washtubs and copper or other means of washing clothes installed in each and the water laid thereto:

Provided that one laundry only shall be required to be provided for each eight flats or part thereof if—

(i) two sets of washtubs and copper or other means of washing clothes are permitted by the council to be installed in each laundry and the water laid thereto; or,

(ii) mechanical equipment for washing and completely drying clothes is installed in each laundry.

Provided also that in assessing for the purposes of this subclause the number of flats in the building it shall not be necessary to take into account any flat to which is attached a laundry or a combined bathroom or shower room and laundry in which washtubs and copper or other means of washing clothes are permanently installed for the exclusive use of the occupants of such flat.

(b2) Every bathroom shall be provided with a bath and every shower room shall be provided with a shower recess. Where a shower recess is provided in a flat in lieu of a bath, the shower room shall be provided with a washhand-basin. Every bath, every shower recess and every washhand-basin shall have the water laid thereto.

(c) (i) Subject to paragraph (ii) of this subclause in a flat containing not more than four habitable rooms the water-closet may be installed in the bathroom or shower room.

(ii) In a flat containing more bedrooms than one the water closet shall be installed in a separate compartment if a mechanical appliance for washing clothes is installed in the bathroom or shower room.

(iii) In a flat containing five or more habitable rooms in all, the water closet shall be fixed in a separate compartment.

(d) The minimum width of a bathroom shall be 5 feet and the minimum floor area 20 square feet. The minimum width of a shower room shall be 6 feet and the minimum floor area 16 square feet. The minimum floor area of such bathroom or shower room shall be increased by 7½ square feet where a water closet is installed therein, by 12 square feet where a mechanical appliance for washing clothes is installed therein and by 19½ square feet where both a water closet and a mechanical appliance for washing clothes are installed therein. Where the water closet is fixed in the bathroom or shower room the required additional floor area may be in the form of a suitable recess or above.
(f) Where a residential flat building contains not less than six and not more than twenty-three flats or where two or more residential flat buildings are erected on land and such residential flat buildings contain in the aggregate not less than six flats and not more than twenty-three flats and the land on which the residential flat buildings are situated is not subdivided, a water-closet shall be provided in addition to the water-closets referred to in subclause (a) of this clause and the door of such water-closet shall be directly accessible from the outside of the building.

(g) Where a residential flat building contains twenty-four or more flats or where two or more residential flat buildings are erected on land and such residential flat buildings contain in the aggregate twenty-four or more flats and the land on which such residential flat buildings are situated is not subdivided, two separate water-closets shall be provided in addition to the water-closets referred to in subclause (a) of this clause and the doors of such water-closets shall be directly accessible from the outside of the building.

Bathrooms, water-closets—Height of.

57. The height of a bathroom or of a shower room or of a water-closet shall be not less than 8 feet from floor to ceiling for at least one-half the area of the floor (or 7 feet 6 inches if the flushing cistern is placed above the ceiling or if there is no overhead flushing cistern).

Cellar and basement.

58. (a) A cellar shall not be designed or adapted for occupation as a flat.

(b) A basement shall not be designed or adapted for occupation as a flat unless there is an excavation or natural opening at least 5 feet wide around the external walls in which there are doors or windows; and unless the bottom of such excavation is at least 6 inches lower than the level of the floor of the basement.
89. In every flat containing more than one bedroom, bedrooms shall be separately accessible, and one bathroom or shower room, and one water-closet if in a separate compartment, shall be accessible without passing through a bedroom.

Soundproofness—thickness of walls.

80. (a) The dividing walls (where not of brick) and the floors between flats shall be so constructed as to minimise the conducting of sound.

(b) Internal masonry walls dividing separate flats or dividing flats from common halls shall be constructed of burnt clay and shale brickwork 4½ inches thick, rendered ½ inch on both sides, or of other masonry having a weight per square foot of wall surface of not less than fifty pounds.

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

(d) Where the dividing walls of a one-storey building of timber frame construction are constructed of timber, the studs shall not be less than 4 inches by 2 inches spaced with 18-inch centres, and such walls shall be packed with sound-proof, fire-resisting and vermin-proof material to the satisfaction of the Council.

Common Halls—Width, Light and Ventilation.

61. (a) A common hall serving flats containing together not more than eight habitable rooms shall be not less than 3 feet 6 inches wide, and shall be increased 3 inches in width for every additional eight habitable rooms, or fraction thereof, served:

Provided that a common hall leading from a main entrance to a stairway shall in no instance be less than 4 feet wide.

(b) (i) Every common hall shall be provided with natural lighting in accordance with paragraph (ii) of this subclause or with artificial lighting in accordance with paragraph (iii) of this subclause.

(ii) Natural lighting shall be by means of a window or windows, permanently fixed glass or approved translucent blocks located in an external wall or by means of a skylight or skylights. The total glazed area, exclusive of framing, of a window or windows or other means of natural lighting of a common hall shall be not less than one-twentieth of the floor area of such hall.

(iii) Artificial lighting shall be by means of electric wiring and light fittings capable of providing artificial lighting in the hall to the standard recommended for corridors and stairways in Australian Standard No. CA. 30—1985, "Artificial Lighting of Buildings".
(c) Every common hall shall be ventilated by means of—

(i) not less than two ventilating ducts situated at or near the level of the ceiling and as remote as practicable from each other and having in the aggregate an effective cross-sectional ventilating area of not less than 94 square inches for every 500 square feet or less of floor area of the common hall, each duct to be carried, independently of any other duct, above the level of the roof; or

(ii) air-bricks or air-vents situated at or near the level of the ceiling and having in the aggregate an effective ventilating area to the external air of not less than 94 square inches for every 500 square feet or less of floor area of the common hall; or

(iii) a ventilating skylight or skylights; or

(iv) mechanical ventilation to a standard approved by the council.

Provided that where any part of a common hall is distant more than 50 feet from a stairway or lift shaft or where in the opinion of the council ventilation in accordance with paragraphs (i), (ii) or (iii) of this sub-clause would be inadequate in the particular circumstances, such common hall shall be ventilated by means of mechanical ventilation to a standard approved by the council.

(d) Where a common hall is lighted by means of a skylight, such New subclause, skylight shall be formed of wired glass or protected by a screen outside of New subclause, 24/11/01. galvanised wire netting not less than 13 gauge, with mesh not more than 1 inch, fixed at least 6 inches above the skylight, and projecting beyond every free edge of the skylight not less than 6 inches. A ventilating sky- New subclause, light shall be equipped with permanent ventilation openings by means of louveres, open ridges or the like and shall provide in the aggregate an New subclause, effect area of not less than 94 square inches for every 500 New subclause, 24/11/01. square feet or less of floor area of the common hall.

(e) For the purposes of this clause every recess or return, the depth or length of which exceeds twice the width of the common hall, and every part of a common hall which is shut off by a door or doors, shall be deemed to be a separate hall.

Kinds of Exits.

61a. The means of exit from a residential flat building required by this Part shall consist of interior stairways, fire-isolated stairways, passageways or doorways of at least the respective number and minimum dimensions prescribed in this Part. Provided that the requirements of this Part shall not apply in respect of means of exit additional in number to the minimum prescribed in this Part.
61a. (a) The number of means of exit in a residential flat building shall be as set out in this clause.

This clause shall not apply to any residential flat building in which each flat has separate communication with the ground.


(b) In a two-storey residential flat building of which the walls, stairway and the floor of the topmost storey are constructed of non-combustible material, only one stairway or other means of exit shall be required, subject to the following provisions:—

(i) where access from any flat to the single stairway or other means of exit is wholly within the building, the entrance doorway to such flat shall be not more than 15 feet distant from the landing of such stairway or the other means of exit; or

(ii) where access from any flat to the single stairway or other means of exit is by way of an open external balcony, either the sill of any windows opening on to such balcony shall be not less than 5 feet 6 inches above the finished floor level thereof, or the balcony shall provide alternative means of escape to the single stairway or other means of exit.

Single Means of Exit in Residential Flat Buildings Exceeding Two Storeys and Not Exceeding Eight Storeys in Height.

(c) In a residential flat building exceeding two storeys and not exceeding eight storeys in height only one stairway or other means of exit shall be required, subject to the following provisions:—

(i) where access from any flat to the single stairway or other means of exit is wholly within the building—

(a) the entrance doorway to such flat shall be not more than 15 feet distant from the landing of such stairway or the other means of exit; and

(b) the entrance doorway to such flat and the doorway to any opening between such entrance doorway and the stairway or other means of exit shall be fitted with approved self-closing doors fitted to frames, the whole assembly including necessary hardware having a fire-resistance rating as determined by the Standard Fire Test of not less than one hour; or
(ii) where access from any flat to the single stairway or other means of exit is by way of an open external balcony—

(a) all door openings on to such balcony and situated between the entrance doorway to such flat and the stairway or other means of exit shall be fitted with approved self-closing doors fitted to frames, the whole assembly including necessary hardware having a fire-resistance rating as determined by the Standard Fire Test of not less than one hour. In addition, the sills of all windows opening on to such balcony and situated between the entrance doorway to such flat and the stairway or other means of exit shall be not less than 5 feet 6 inches above the finished floor level of the balcony and such windows shall be of metal frame and shall be fitted with automatic fire-resisting shutters or metal frame casings filled with wired glass; or

(b) such balcony shall provide alternative means of escape from each such flat to the single stairway or other means of exit.

Multiple Means of Exit in Residential Flat Buildings.

(d) At least two stairways or other means of exit shall be provided in any residential flat building exceeding one storey in height which does not comply with the requirements of subclause (b) or (c) of this clause or in any residential flat building exceeding eight storeys in height. Such stairways or other means of exit shall be as remote as practicable from each other and so located as to provide alternative means of exit from each flat which has no direct communication with the ground.

Number of Fire-isolated Stairways.

(e) Every residential flat building of more than three storeys in height shall have at least one fire-isolated stairway serving as a means of exit.

For the purpose of this subclause a cellar or basement shall not be considered a storey.

A basement shall be provided with alternative means of escape.

INTERIOR STAIRWAYS.

Materials.

61c. (a) Notwithstanding any other provision of this Ordinance interior stairways, other than fire-isolated stairways, shall be constructed of non-combustible materials throughout, and walls, partitions, supports and ceilings enclosing such stairways shall be constructed of non-combustible materials.
Head-room.

(b) Every interior stairway shall have a head-room clearance of not less than 6 feet 8 inches measured vertically above any landing or above a line connecting the nosing of stair treads.

Minimum Width.

(c) The minimum unobstructed width of an interior stairway serving as a means of exit from flats containing together not more than sixty habitable rooms shall be not less than 3 feet 6 inches and shall be increased 3 inches for every additional ten habitable rooms, or fraction thereof, served:

Provided that where a lift is installed such interior stairway shall be not less than 3 feet wide:

Provided also that, with the exception of stairways serving lift machinery rooms and the like, the minimum unobstructed width of an interior stairway not serving as a means of exit shall be not less than 3 feet 9 inches.

Treads—Non-slip Material.

(d) Treads of stairs and the graded surfaces of the stairway shall be effectively treated with non-slip materials.

Treads and Risers—Width and Height.

(e) Treads and risers of interior stairs shall be of uniform width and height throughout but risers shall not exceed 7 1/4 inches in height and treads, exclusive of nosing, shall be not less than 9 1/4 inches in width:

Provided that this subclause shall not apply in the case of stairways serving lift machinery rooms and the like.

Winders.

(f) The use of winders may be permitted in interior stairways other than fire-isolated stairways if no tread is less than 6 inches in width, exclusive of nosing, at any point throughout any one flight of the stairway.

Landings.

(g) (i) A flight of stairs shall not have more than 18 risers between floors or landings.

(ii) The length and width of landings shall be not less than the width of stairways in which they occur, provided that the length of intermediate landings in flights continuing in the same direction shall be not less than the width of three treads.

Hand Rails.

(h) A stairway shall have a wall or balustrade or guard on each side. A stairway exceeding 44 inches in width shall have a handrail on each side. A stairway not exceeding 44 inches in width may have a handrail on one side only.

Where the width of a stairway exceeds 80 inches an intermediate handrail continuous between landings and terminating at the upper end in newels or standards at least 8 feet high shall be provided.
Lighting.

(i) Every fully enclosed stairway shall be provided with natural lighting in accordance with paragraph (ii) or paragraph (iii) of this subclause or with artificial lighting in accordance with paragraph (iv) of this subclause.

(ii) Natural lighting shall be by means of a window or windows, permanently fixed glass or approved translucent blocks located in an external wall and providing at each storey a total glazed area, exclusive of framing, of not less than one-tenth of the cross-sectional area of the stairway.

(iii) Notwithstanding paragraph (ii) of this subclause, in a building not exceeding four storeys in height, natural lighting in a stairway may be provided by means of a skylight or skylights having a total glazed area, exclusive of framing, of not less than one-tenth of the cross-sectional area of the stairway, subject to the provision in the stairway of an unobstructed vertical well-hole, not less in cross-sectional area than one-fortieth of the cross-sectional area of the stairway. Any such skylight shall be formed by wired glass or protected by a screen outside of not less than 12 gauge, with mesh not more than 1 inch, fixed at least 6 inches above the skylight, and projecting beyond every free edge of the skylight not less than 6 inches.

(iv) Artificial lighting shall be by means of an electric wiring circuit exclusive to the stairway and with light fittings capable of providing artificial lighting throughout the stairway to the standard recommended for corridors and stairways in Australian Standard No. CA. 30—1965, “Artificial Lighting of Buildings”.

Ventilation.

(i) Every fully enclosed stairway shall be ventilated by means of—

(ii) not less than two ventilating ducts situated as remotely as practicable from each other in the ceiling of the stairway and carried above the level of the roof and having in the aggregate an effective cross-sectional ventilating area of not less than 24 square inches for every 600 square feet or less of cross-sectional area of the stairway; or

(iii) a skylight or skylights equipped with permanent ventilation openings by means of louvres, open ridges or the like and having in the aggregate an effective ventilating area of not less than 24 square inches for every 600 square feet or less of cross-sectional area of the stairway.
(k) Where the Council approves of a building being converted into a residential flat building in accordance with the Local Government (Regulation of Flats) Act, 1966, such building shall not be required to comply with subclauses (a), (c), (d), (e), (f), (g), (h), (i) and (j) of this clause.

Fire-isolated Stairways.

61n. (a) Except as otherwise required by this clause fire-isolated stairways shall conform with subclauses (b) to (j) inclusive of clause 610 of this Ordinance.

Construction.

(b) Fire-isolated stairways shall be of fire-resisting construction.

Width.

(a) Where the means of exit required by this Part consist of two or more stairways, including a fire-isolated stairway or stairways, the aggregate width of such fire-isolated stairways shall be at least equal to half the aggregate width of all stairways serving as means of exit.

Enclosing Walls.

(d) The enclosing walls, floors, supports and ceilings of fire-isolated stairways shall be of reinforced concrete not less than 4 inches thick, of terra-cotta not less than 6 inches thick, or brick 4½ inches thick rendered to be 6 inches, or of other approved incombustible material of at least equal fire and heat-resistance. Such walls shall be carried at each floor.

Openings.

(e) No openings other than necessary doorways, ventilators and windows shall be constructed in the walls of fire-isolated stairways and no openings other than necessary doorways shall be constructed in interior walls. Access to the stairways at each storey served by a fire-isolated stairway shall be by approved self-closing doors fitted to frames, the whole assembly including necessary hardware and closing devices to have a fire-resistance rating as determined by the Standard Fire Test of not less than one hour and the doors to swing in the direction of travel from the building to the fire-isolated stairway. No doorway constructed in the walls of a fire-isolated stairway shall open directly to a flat.

Outlets.

(f) Every fire-isolated stairway shall give access either directly or through a passageway conforming with the requirements of this Part to a public place or to a courtyard or open area connecting directly with a public place.

Electricity and Gas Services.

(g) Electricity and gas service ducts, meters and switchboards shall not be placed within fire-isolated stairways unless isolated therefrom by walls, ceilings and doors as required for fire-isolated stairways and provided with approved permanent ventilation.
Passageways—Width.

612. (a) The clear width of passageways serving as means of exit shall be—

(i) when the width of the stairway discharging therein is less than 4 feet, not less than the width of the stairway;

(ii) when the aggregate width of the stairway or stairways discharging therein is 4 feet or more, not less than three-fourths of the aggregate width of the stairway or stairways but not less than 4 feet in any case.

(b) Such passageways shall have a clear height of not less than 8 feet, except under intermediate stair landings where there shall be a clear height of not less than 6 feet 8 inches.

Floor.

(c) Where the floors of such passageways are not level, gradients of not more than one in ten may be used. Provided that at a door leading into a passageway or at the foot of a stairway the floor shall be level across the entire width of the passageway and along its length for a distance of 12 inches more than the width of the door and for a distance of not less than 40 inches at the foot of the stairway.

Construction.

(d) The enclosing walls, floors and ceilings of such passageways shall be of fire-resisting construction.

Doorways and Doors.

Hanging of Doors.

613. (a) The doors of doorways serving as means of exit shall be so hung and arranged that when opened they shall not diminish or obstruct the prescribed width of passageways, stairways or other means of exit by more than 3 inches for every 20 inches of width, or pro rata for a fraction of 20 inches.

A landing, the length and width of which shall not be less than the width of such doors, shall be provided between such doors and any stairs.

Revolving Doors.

(b) Revolving doors shall not be used as means of exit.

Door Fastenings.

(c) The fastenings of the doors of doorways serving as means of exit shall be such that the doors may be readily opened from the inside without the use of keys.

Height of Doorways.

(d) Doorways serving as means of exit shall have a minimum height of 6 feet 8 inches.

Labelling of Fire Doors Leading to Fire-isolated Stairways.

(e) A fire door providing access to a fire-isolated stairway shall be clearly and legibly labelled on the side remote from the stairway with the words "Fire Stair" in letters not less than 2 inches in height.
610. (a) A lift shall be provided in every residential flat building in which any storey containing a flat is situated—

(i) more than two storeys above or below a storey having level or nearly level access to a public place; or

(ii) more than three storeys above or below a floor or space in the nature of a floor of the building having level or nearly level access to a public place, such floor or space in the nature of a floor being designed, constructed, or intended for the accommodation of motor vehicles.

Such lift shall be capable of conveying persons from each floor having level or nearly level access to a public place to landings so situated throughout the building that the level of the entrance doorway of every flat is not more than 11 feet above or below the level of a landing of such lift.

(b) The platform area of the car of such lift, calculated without taking into account the depth of any car entrance nib and exclusive of any bulkhead, cupboard or similar device as referred to in subclause (c) of this clause, shall be not less than 15.6 square feet.

(c) In such lift a minimum dimension of 6 feet 2 inches shall exist between the inside face of the car door when closed and the inside of the back of the car: Provided that this dimension may be achieved by means of a bulkhead, cupboard or similar device at the back of the car having a height of not less than 2 feet 11 inches and not more than 3 feet 1 inch and a minimum width of 3 feet, the floor of such bulkhead, cupboard or similar device to be at the level of the floor of the car.

(d) The clear door opening of such lift shall be not less than 2 feet 8 inches wide and 6 feet 6 inches high.

Gardens.

62. The owner of every residential flat building shall provide, within each flat, or conveniently accessible from each flat, means satisfactory to the Council for the destruction of garbage, or means satisfactory to the Council for conveying garbage to a common receptacle, or separate and suitable receptacles for each flat for holding garbage until it is removed, together with places for such receptacles in the open air or in some closed-off closet or space so that such garbage shall be free from offence, and shall also provide means satisfactory to the Council whereby such receptacles may be removed without having to be conveyed through the main or front entrance of the building.

Yards.

64. (a) (i) Every residential flat building shall have a yard at the rear, extending across the entire width of the allotment, open to the sky at every point, and unobstructed except that a fire escape, bridge, or platform not
exceeding 4 feet in width may extend over such yard from such building
to a neighbouring building or to the ground.

(ii) Where a residential flat building is so constructed as to contain shops and no residential flat is erected at or below the floor level or levels on which such shops are erected, or where an appurtenant building of only one storey in height is erected at the rear of a residential flat building two or more storeys in height, the term "yard" for the purposes of this subclause shall be extended to mean unoccupied flat roof over such shops or appurtenant building, but in each case at or below a line three feet above the floor of the lowest flat facing such unoccupied flat roof. Provided that such flat roof shall be adapted for the common use of all tenants of the residential flats.

(iii) For the purposes of this subclause the word "shops" shall have the meaning ascribed to it in subsection (1a) of section 614 of the Act.

(b) A building of only one storey in height may be erected on the same site as and as an appurtenance to a residential flat building, but shall not encroach on the unbuilt-upon area to an extent greater than 10 per cent. of such unbuilt-upon area:

Provided 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.

Courts and vent shafts.

65. (a) Every court and vent shaft shall be open to the sky and unobstructed from at least 3 feet above the floor of the lowest flat having windows or doors facing such court.

(b) The measurement of the area of all courts and vent shafts shall commence 3 feet above the floor level of such lowest flat having windows or doors facing the court.

Outer courts.

66. (a) An outer court shall comply with the following requirements:

<table>
<thead>
<tr>
<th>Where height of the building is</th>
<th>The least width of the court shall be</th>
<th>And its length shall not exceed</th>
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<tbody>
<tr>
<td>Not over 24 feet...</td>
<td>6 ft.</td>
<td>16 ft.</td>
</tr>
<tr>
<td>Over 24 feet and not over 30 feet</td>
<td>8 ft.</td>
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<td>&quot; 30 &quot;</td>
<td>10 ft.</td>
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<td>&quot; 40 &quot;</td>
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<td>30 ft.</td>
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<td>&quot; 60 &quot;</td>
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<td>&quot; 84 &quot;</td>
<td>18 ft.</td>
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<td>&quot; 108 &quot;</td>
<td>20 ft.</td>
<td>50 ft.</td>
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<tr>
<td>Over 108 feet...</td>
<td>25 ft.</td>
<td>60 ft.</td>
</tr>
</tbody>
</table>

(b) An outer court may be constructed of greater length than the maximum above prescribed if the least width above prescribed be increased in the proportion of 6 inches increased width for each 5 feet of increased length.
(c) If an outer court be constructed of less length than the maximum above prescribed, the least width above prescribed may be reduced in the proportion of 8 inches reduced width for each 3 feet of reduced length: Provided that no outer court shall be less than 8 feet in width.

**Inner courts.**

W7. (a) An inner court shall comply with the following requirements:

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<thead>
<tr>
<th>Where the height of the building is</th>
<th>The area of the inner court shall not be less than</th>
<th>And the width of the court shall not be less than</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not exceeding 24 feet...</td>
<td>162 sq. ft.</td>
<td>9 in.</td>
</tr>
<tr>
<td>Over 24 feet and not over 36 feet</td>
<td>190 sq. ft.</td>
<td>10 in.</td>
</tr>
<tr>
<td>36” 48” 60” 72” 84”</td>
<td>220 sq. ft.</td>
<td>11 in.</td>
</tr>
<tr>
<td>Over 94 feet</td>
<td>252 sq. ft.</td>
<td>12 in.</td>
</tr>
<tr>
<td>Over 84 feet</td>
<td>280 sq. ft.</td>
<td>13 in.</td>
</tr>
<tr>
<td>Over 94 feet</td>
<td>300 sq. ft.</td>
<td>14 in.</td>
</tr>
</tbody>
</table>

(b) Courts may be reduced by having the angles taken off, provided the linear measurements of the wall across angle shall not be more than noted hereunder:

In courts up to 10 feet in width—4 feet.
In courts over 10 feet, but not exceeding 14 feet in width—5 feet 6 inches.
In courts over 14 feet, but not exceeding 18 feet in width—7 feet.
In courts over 19 feet in width—9 feet.

**Air intakes.**

(c) Every inner court shall be provided with one or more horizontal air intakes at the bottom. Each such intake shall communicate directly with the open air and shall consist of an unobstructed passage-way not less than 3 feet wide and 6 feet 6 inches high, which shall be left open, except that open grilles may be fixed, one at each end, and such open grilles shall not be covered in any way:

Provided that the air intake may be omitted if the inner court is provided with a system of mechanical ventilation to the satisfaction of the Council:

Provided also that where the court does not go down below the first floor level the intake may consist of an open duct covered at each end with a wire screen of not less than 1 inch mesh, but otherwise unobstructed; such duct shall have an open interior area of not less than one-twentieth the area of the court, except that it shall not be necessary to make the duct of greater area than 16 square feet; such duct shall not be less than 2 feet in its least dimension and so arranged as to be easily cleaned out. Such duct shall be either of fireproof construction or lined on the inside with galvanized iron of not less than 28-gauge.

(d) 

(e)
Vent shafts.

68. (c) Bathrooms, water-closets, and the like may have their windows opening on to a vent shaft, but a habitable room, kitchen, or place where food is stored or prepared shall not have its windows opening on to any such shaft.

(b) A vent shaft shall be not less in unobstructed area than 16 square feet, nor less in its least lateral dimension than 4 feet.

(c) In buildings more than 60 feet in height the area of a vent shaft, if enclosed on four sides, shall be increased for its entire height in the proportion of 1 square foot in area for each 4 feet in height.

(d) A vent shaft may be used for pipes, chutes, and the like, provided that the prescribed minimum area of shaft and the window openings shall be left unobstructed.

(e) A vent shaft, if enclosed on four sides, shall be provided with one or more horizontal air intakes at or near the bottom, having a total sectional area of not less than 3 square feet (but no air intake may be less than 1 square foot), covered at each end with a wire screen of not less than 1-inch mesh.

(f) If a vent shaft is enclosed on four sides the walls, when built of brick, stone, concrete, or the like, shall be not less than 9 inches in thickness for the top 100 feet or less of height, and 14 inches in thickness for all storeys below 100 feet measured from the top. If a vent shaft be not enclosed on four sides the walls shall be of the thickness required for external walls: Provided that in buildings not exceeding two storeys in height the walls may be of similar materials and construction to the external walls.

(g) If a vent shaft is enclosed on four sides the faces of the walls shall be white or light coloured.

Inner courts and vent shafts—drainage and access.

69. (a) All inner courts and vent shafts enclosed on four sides shall be paved with an impervious material, graded to carry water quickly to inlet of drain, drained, and connected to the drainage system.

(b) Adequate means of access shall be provided to all such inner courts and vent shafts.

70. Clause omitted, 30/6/30.

PART V.—COMMERCIAL BUILDINGS.

Application of this Part.

79. This Part shall apply to commercial buildings 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 commercial buildings.

Proportion of site which may be covered.

78. If the Council so approves, a commercial building which is not designed to be used as a dwelling in any part other than for a caretaker may (subject to compliance with the provisions of Part II as to lighting and ventilation and subject to compliance with the building line) occupy the whole of the allotment on which it stands: ....

Height.

74. (a) The height (as defined in Part II of this Ordinance) of a commercial building at any part shall not exceed three times the least horizontal measurement from that part of the building to the middle of the road to which it has frontage: Provided that where the allotment on which it is proposed to erect a commercial building has frontage to two public roads front and rear the height of that portion of the building to stand on the front of the allotment shall be governed by reference to the road in front, and the height of that portion of the building to stand on the rear of the allotment shall be governed by reference to the road at the rear: Provided also that the height shall not in any case exceed 100 feet.

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

(c) ....

Lighting.

75. (a) (i) Inner courts shall have a minimum dimension of at least one-fifth of the total height of such court and a minimum area equal to the square of the minimum dimension: Provided, however, that below the floor level of the second floor of a commercial building inner courts may be reduced to a minimum dimension of not less than 5 feet and a minimum area of not less than 100 square feet: Provided further that the width of each inner courts may be reduced to not less than two-thirds of the minimum dimension prescribed in this subclause if the length is increased to maintain the minimum area prescribed in this subclause.

(ii) The measurement of the area of every inner court shall commence three feet above the floor level of the lowest floor having windows or doors facing such court.
(iii) The walls of inner courts shall be white or light coloured.

(iv) Where a building exceeding two storeys in height is provided with an inner court, every such court shall be provided with one or more horizontal air intakes at the bottom which shall be constructed with walls, floors and ceilings having a fire-resistance rating of not less than two hours in buildings of fire-resisting construction and not less than one hour in buildings of non-fire resisting construction. Each such intake shall communicate directly with the open air and shall have a cross-sectional area of not less than 5 square feet or one-twentieth of the average horizontal area of the court, whichever shall be the greater, but in no case shall the maximum sectional area be required to exceed 20 square feet. Each such intake shall remain fully open at both ends and unobstructed for its full size and length, except that open grilles may be fixed, one at each end, and such open grilles shall not be covered in any way.

Provided that the air intake may be omitted if the inner court is provided with a system of mechanical ventilation to the satisfaction of the council.

(v) Every inner court shall be open to the sky and unobstructed from at least three feet above the lowest floor having windows or doors facing such court:

Provided that fire escapes, vent ducts, flues, service pipes and erections of a like nature may be permitted in inner courts, but where their combined area exceeds ten per centum of the area of the inner court, the area of such court shall be increased by the equivalent of such surplus percentage. The area of such structures for the purposes of this subclause shall be their horizontal projection between any two floors of the building.

(vi) The bottom of every inner court shall be paved with impervious material, properly graded and drained and connected to an approved drainage system.

(vii) Every inner court not otherwise accessible at the bottom shall be provided with adequate means of access.

(b) No part of any floor of an office, shop, factory, or workroom shall be distant more than 30 feet from an unobstructed window fronting a road, lane, or public place open to the sky, or 25 feet from a window fronting an inner court—or, laterally, from a roof light, other than one over a highest floor, the area of each of which shall be at least one-tenth of the floor area lighted by such window or roof light, and a roof light over a highest floor shall have a total area of at least one-twentieth of the floor area lighted by it.

If the window or roof light area is increased, the distance of the remotest parts of the floor from a window or roof light may be increased proportionately: Provided that where the remotest part of the floor from a window is more than 30 feet but does not exceed 34 feet, the height of the top of the window from the floor shall not be less than 9 feet, and such height shall be
increased in the proportion of 1 foot for every increase of 5 feet in such distance: Provided also that no part of a floor shall be more than 45 feet distant from a window or roof light, except in the case of a window or windows facing a space of at least 300 feet in a horizontal direction from which unobstructed light is secure for all time, when such distance may be not more than 60 feet.

Notwithstanding the foregoing provisions of this subclause—

(a) Where the installation of a system of air-conditioning or mechanical ventilation in an office, shop, factory or workroom has been approved by the Council and subject to artificial lighting being installed therein to a standard approved by the Council, the distance of the remotest part of the floor from an unobstructed window fronting a road, lane or public place open to the sky may be increased to a distance not exceeding 50 feet.

(b) Where the installation of a system of air-conditioning or mechanical ventilation in a shop has been approved by the Council windows and roof lights may be omitted if the Council is satisfied that a means of lighting has been provided which is not less efficient than that required under the foregoing provisions of this subclause.

(c) No part of any floor of a warehouse or other building of which at least half the area is to be occupied by goods shall be distant more than 60 feet from a window or, laterally, from a roof light, other than one over a highest floor, the area of which shall be at least one-fifteenth of the floor area lighted by such window or roof light, and a roof light over the highest floor shall have a total area of at least one-thirtieth of the floor area lighted by it.

If the window or roof light area is increased, the distance of the remotest parts of the floor from window or roof light may be increased proportionately: Provided that when the remotest part of the floor from a window is more than 60 feet but does not exceed 80 feet, the height of the top of the window from the floor shall not be less than 10 feet, and such height shall be increased in the proportion of 1 foot for every increase of 10 feet in such distance: Provided also that no part of a floor shall be more than 80 feet distant from a window or roof light, except in the case of a window or windows facing a space of at least 300 feet in a horizontal direction from which unobstructed light is secure for all time, when such distance may be not more than 100 feet.

(d) No part of the floor of any bulk store or similar building used wholly for the storage of goods shall be more than 100 feet distant from a window or, laterally, from a roof light other than one over a highest floor, the area of which shall be at least one-twentieth of the floor area lighted by such window or roof light, and a roof light over a highest floor shall have a total area of at least one-fortieth of the floor area lighted by it.
If the window or roof light area is increased, the distance of the remotest parts of the floor from a window or roof light may be increased proportionately: Provided that when the remotest part of the floor from a window is more than 100 feet but does not exceed 103 feet, the height of the top of the window from the floor shall not be less than 12 feet, and such height shall be increased in the proportion of 1 foot for every increase of 12 feet in such distance: Provided also that no part of a floor shall be more than 125 feet distant from a window or roof light, except in the case of a window or window facing a space of at least 300 feet in a horizontal direction from which unobstructed light is secure for all time, when such distance may be not more than 150 feet.

(a) A Council may permit variations from the conditions of lighting prescribed where materials used or manufacturing processes or the purpose of the building make such variation necessary.

**Galleries or Mezzanine Floors.**

75. (a) A gallery or mezzanine floor, not more than twelve feet wide overall, may be erected in a room used or designed for use as an office, shop, factory or workroom provided that the area of such gallery or mezzanine floor does not exceed one-third of the floor area of the room and provided also that the headroom over and immediately beneath such gallery or mezzanine floor is not less than seven feet where the space is used or designed for use for storage purposes only and not less than eight feet where it is used or designed for use partly or wholly for any other purpose.

(b) The space over or immediately beneath a gallery or mezzanine floor shall not be enclosed on its internal boundary or boundaries to a greater height than five feet above the level of the floor of such gallery or mezzanine floor or five feet above the level of the floor of the room in which the gallery or mezzanine floor is erected as the case may be.

**Strength of floors.**

76. The Council may require that there shall be displayed upon the wall of any room or rooms a permanent and legible notice stating the bearing capacity of the floor.

**Fire escapes.**

77. (a) A commercial building of more than three storeys in height, not including the basement and cellar, shall be provided with a fire escape.

(b) Where any such building is designed, intended, or adapted for use as a retail store or an office building there shall be additional fire escapes based upon the proportion of one fire escape for every 30,000 square feet of floor area above the ground floor: Provided that if the building is of fire-resistant construction the proportion shall be one fire escape for every 60,000 square feet of floor area above the ground floor.
(c) In a commercial building which is three storeys in height the Council may, if the building be not so designed as in the Council's opinion to provide reasonable means of escape in case of fire, require that one or more fire escapes be provided in similar proportion to the area of floors above the ground floor.

(d) Each fire escape shall, subject to the special provisions of this clause, comply with the general provisions of Part II of this Ordinance; shall be so constructed as to be directly accessible from each floor which has not direct communication with the ground; shall be shut off by self-closing fire-proof or fire-resisting doors, which can be easily opened and shall have automatic fastenings capable of being readily opened from the inside; and shall be so constructed that it shall not be necessary to pass the well or shaft of any staircase or unprotected lift shaft to reach the fire escape.

PART VI.—HOTELS.

Application of Part.

78. This Part shall apply to hotels 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 hotels.

Site—Minimum Area.

78a. The Council may in respect of different portions of the Municipality or Shire by resolution fix the minimum size of an allotment of land upon which a hotel may be erected but where such minimum has not been so fixed the minimum size of any such allotment shall be 3,000 square feet: Provided that such minimum fixed by the Council shall not be less than 3,000 square feet.

Proportion of Site which may be Covered.

78a. (c) A hotel, together with its appurtenances, shall not occupy more than two-thirds of the allotment on which it stands, and the minimum of unoccupied area shall be not less than 1,000 square feet:

Provided that the Council may permit a hotel to occupy not more than four-fifths of the allotment on which it stands if in the opinion of the Council such allotment is in an established shopping locality, and if the unoccupied area of the allotment is not less than 600 square feet:

Provided also that, for the purpose of altering, adding to or reconstructing an existing hotel not exceeding three storeys in height which was erected prior to 16th December, 1949, on a site which in the opinion
of the Council is in an established residential locality the Council may permit the hotel to occupy not more than four-fifths of the allotment on which it stands if the unoccupied area of the allotment is not less than 600 square feet:

Provided also that in a sewered district where every bedroom 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 hotel bars, lounge rooms or similar service rooms:

Provided also that in any locality where a public sewerage system is not available an area of unbuilt upon land adequate in the opinion of the Council for the satisfactory disposal of any septic tank effluent, or chemical closet or other drainage shall be provided, and where the disposal of such effluent or drainage is likely to contaminate any underground water supply or source thereof the proposed method of disposal of such effluent or drainage shall be to the satisfaction of the Board of Health and the Council.

(b) The open space required by this clause may be in two or more separate portions, but no portion shall have a minimum dimension of less than six feet nor a minimum area of less than 100 square feet.

Number of Storeys.

78c. A hotel situated in an established residential locality shall not, except by special resolution of the Council, exceed five storeys in height exclusive of cellar or basement.

Space Outside Windows or Boundary Line.

78n. (a) A wall of a hotel in which any window or door is placed shall be at a distance from the boundary line of the allotment of not less than three feet in the case of a hotel of one storey and this distance shall be increased by eighteen inches for each additional storey: 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.

(b) If part of a wall is set back to comply with this clause such setting back shall extend and be maintained from the window or door to one end or across the rear of the hotel in order that, even though the next allotment of land be completely built upon now or hereafter, there shall be access (of the specified width of three or more feet as the case may be) of light and air to such window from some open space in a horizontal direction from the window, as well as in a vertical direction.
(c) No eaves 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 more feet, as the case may be, by more than one-fourth of such width.

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

Courts and Vent Shafts.

78a. (a) Every court and vent shaft shall be open to the sky and unobstructed from at least three feet above the lowest floor having windows or doors facing such court.

(b) The measurement of the area of all courts and vent shafts shall commence three feet above the floor level of such lowest floor having windows or doors facing the court.

Outer Courts.

78b. (a) An outer court shall be not less than three feet wide in the case of a hotel of one storey and shall be increased eighteen inches in width for every additional storey. No windows of a habitable room shall be placed in an outer court less than six feet in width.

(b) If an outer court be constructed of greater length than eight feet the width prescribed in subclause (a) of this clause shall be increased in the proportion of six inches increased width for each five feet of increased length.

Inner Courts.

78c. (a) An inner court shall comply with the following requirements:

<table>
<thead>
<tr>
<th>Where the Height of the Building is—</th>
<th>The Area of an Inner Court shall be not less than—</th>
<th>And the Width of the Court shall be not less than—</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not exceeding 24 feet</td>
<td>120 sq. ft.</td>
<td>8 ft. in.</td>
</tr>
<tr>
<td>Over 24 feet and not over 36 feet</td>
<td>150</td>
<td>9 ft. in.</td>
</tr>
<tr>
<td>&quot; 36 &quot; &quot; &quot; 48 &quot; &quot; &quot; 60 &quot; &quot; &quot; &quot;  &quot;</td>
<td>180</td>
<td>10 ft. in.</td>
</tr>
<tr>
<td>&quot; 48 &quot; &quot; &quot; &quot; &quot; 60 &quot; &quot; &quot; &quot; &quot; &quot; &quot; &quot;  &quot;</td>
<td>195</td>
<td>11 ft. in.</td>
</tr>
<tr>
<td>&quot; 60 &quot; &quot; &quot; &quot; &quot; &quot; 72 &quot; &quot; &quot; &quot; &quot; &quot; &quot; &quot;  &quot;</td>
<td>325</td>
<td>12 ft. in.</td>
</tr>
<tr>
<td>&quot; 72 &quot; &quot; &quot; &quot; &quot; &quot; &quot; &quot; &quot; 84 &quot; &quot; &quot; &quot; &quot; &quot;</td>
<td>450</td>
<td>13 ft. in.</td>
</tr>
<tr>
<td>Over 34 feet</td>
<td>600 sq. ft.</td>
<td>20 ft. in.</td>
</tr>
</tbody>
</table>

(b) For the purpose of this clause the height of the building shall be the measurement taken from the floor level of the ground floor of the building to the finished ceiling of the highest storey of the building.
Vent Shafts.

78X. (a) Bathrooms, shower rooms, water-closets, and the like may have their windows opening on to a vent shaft. Hotel bars, public lounges and dining rooms may have their windows opening on to a vent shaft provided that any such hotel bars, lounges and dining rooms have at least one additional window with a superficial area of not less than 24 square feet opening directly on to an external open space or court. A bedroom, sitting room or guest lounge, kitchen or place where food is stored or prepared shall not have its windows opening on to any such shaft.

(b) A vent shaft shall be not less in unobstructed area than 10 square feet, nor less in its least lateral dimension than four feet.

(c) In buildings more than 36 feet in height measured from the floor level of the ground floor of the building to the finished ceiling of the highest storey of the building the area of a vent shaft, if enclosed on four sides, shall be increased for its entire height in the proportion of one square foot in area for each four feet in height.

(d) A vent shaft may be used for pipes, chutes and the like, provided that the prescribed minimum area of shaft and the window openings shall be left unobstructed.

(e) If a vent shaft is enclosed on four sides the walls when built of brick, stone, concrete, or the like shall be not less than nine inches in thickness for the top 100 feet or less of height, and 14 inches in thickness for all storeys below 100 feet measured from the top. If a vent shaft be not enclosed on four sides the walls shall be of the thickness required for external walls. Provided that in buildings not exceeding two storeys in height the walls may be of similar materials and construction to the external walls.

(f) The faces of the walls of a vent shaft shall be white or light coloured.

Inner Courts and Vent Shafts—Air Intakes.

79. (a) Every inner court shall be provided with one or more horizontal air intakes at or near the bottom. Each such intake shall communicate directly with the open air and shall consist of an unobstructed passage-way not less than three feet wide and six feet six inches high, which shall be left open, except that open grilles may be fixed, one at each end, and such open grilles shall not be covered in any way.

Provided that the air intake may be omitted if the inner court is provided with a system of mechanical ventilation to the satisfaction of the council.

(b) Every vent shaft shall be provided with one or more horizontal air intakes at or near the bottom, having a total sectional area of not less than three square feet (but no air intake may be less than one square foot) and covered at each end with a wire screen of not less than one inch mesh.
Inner Courts and Vent Shafts—Drainage and Access.

78c. (a) All inner courts and vent shafts shall be paved with impervious material, graded to carry water quickly to inlet of drain, drained, and connected to the drainage system.

(b) Adequate means of access shall be provided to all inner courts and vent shafts.

Fire-resisting Construction.

78x. A hotel any portion of which is more than two storeys in height (exclusive of cellar or basement) shall be of fire-resisting construction. Where a hotel has a greater number of storeys above the ground floor in one part than another on account of the grade of the site one-half the sum of the least and greatest number shall be considered the number of storeys for the purposes of this clause.

Sound-proof Construction.

78x. (a) Where the partition walls of bedrooms are constructed of timber the studs shall be not less than four inches in depth and such walls shall be packed with sound-proof, fire-resisting and vermin-proof material to the satisfaction of the Council.

(b) Where the upper floors of a hotel are constructed of timber, hairfelt (or other approved sound-proof material) shall be placed at the back of the ceilings and strips of such sound-proof material shall be placed on top of the floor joists before the flooring is laid.

Number of Exits.

78x. (a) Every hotel of three or more storeys shall be provided with alternative stairways which shall be as remote as practicable from each other. The number of such stairways which shall be fire-isolated stairways shall be as prescribed in subclause (b) of this clause.

A doorway discharging directly, or from a passageway conforming with the provisions of this Ordinance to a public place or to a courtyard or open area that connects directly with a public place shall be considered as equivalent to a fire-isolated stairway serving the storey from which it provides access.

For the purpose of this clause a cellar or basement shall not be considered a storey.

The basement shall be provided with alternative means of escape.

Number of Fire-isolated Stairways.

(b) One fire-isolated stairway shall be provided for every 10,000 square feet in floor area or part thereof, and each such stairway shall be of a minimum width of three feet four inches. Where the required number of such stairways exceeds two, and by reason of the size or shape of the building these cannot be satisfactorily planned, the Council may permit a lesser number of stairways if the aggregate width of such stairways complies with clause 78x of this Ordinance.