INTERIOR STAIRWAYS.

Materials.

78N. (a) Notwithstanding any other provision of this Ordinance, interior stairways, other than fire-isolated stairways, shall be constructed of non-combustible materials or hardwood throughout, and walls, partitions and ceilings enclosing such stair shall be constructed of non-combustible materials. Provided that this shall not apply to any stairways over and above the minimum laid down in clause 75M.

Head-room.

(b) Every stairway shall have a head-room clearance of not less than six feet eight 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 an exit shall be not less than three feet four inches. With the exception of stairways serving lift machinery rooms and the like, the minimum unobstructed width of an interior stairway not serving as an exit shall be not less than two feet nine inches.

Aggregate Width.

(d) The aggregate width of the stairways serving as exits shall be determined by the greatest number of persons occupying any floor served by such stairways on the basis of 20 inches of width for each thirty persons or part thereof when the building is unspirinklered or for each sixty persons or part thereof when the building is sprinklered.

For the purpose of this subclause, unless the actual number is greater, the number of persons which a hotel is designed or intended to accommodate on a floor shall be calculated at the rate of one person to every 80 square feet of the gross floor area.

Treads—Non-skid Material.

(e) Treads of stairs and the graded surfaces of the stairways shall be effectively treated with non-skid materials.

Treads and Risers—Width and Height.

(f) 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.

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

Handrails.

(i) 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, but a stairway less than that 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 six feet high shall be provided.

Space under Stairs.

(j) The space under stairs which are built wholly or partly of combustible material shall be left entirely open and kept vacant unless the space under the lower portion of the stairs is entirely sealed off to a height of three feet from the floor level below such stairs.

Lighting.

(k) (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-fourth 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 8 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) new subclauses

(i) air-bricks or air-vents providing in the aggregate at each storey an effective ventilating area to the external air of not less than 24 square inches for every 600 square feet or less of cross-sectional area of the stairway; or

(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 500 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 500 square feet or less of cross-sectional area of the stairway.

Fire-isolated Stairways.

780. (a) Except as otherwise required by this clause fire-isolated stairways shall conform with subclauses (b) to (h) inclusive, (k) and (l) of clause 78v of this Ordinance.

New clause.

Subclause amended.

23/12/49.

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

Construction.

(c) At least half the aggregate width of stairways serving as exits shall be fire-isolated stairways.

Width.

Enclosing Walls.

(d) (i) In a hotel of fire-resisting construction the enclosing wall of fire-isolated stairways shall be of reinforced concrete not less than four inches thick, of terra-cotta not less than six inches thick, of brick four and one-half inches thick, reinforced in an approved manner at every third course set in cement and rendered to six inches, or of other approved incombustible material of at least equal fire and heat resistance. Such walls shall be carried at each floor.

(ii) In a hotel of non-fire resisting construction the enclosing walls of fire-isolated stairways shall be of brickwork not less than nine inches thick or reinforced concrete six inches thick.

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 room set aside for the accommodation or use of the occupants of the building other than a common hall, common passageway, common lobby, or the like.

Outlet.

(f) Every fire-isolated stairway shall give access either directly or through the passageway conforming with clause 78r of this Ordinance to a public place or to a courtyard or open area connecting directly with a public place, with doors fitted with panic bolts swinging in the direction of the 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.

Labelling of Fire Doors Leading to Fire-isolated Stairways.

(h) 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.

Passageways—Width and Construction.

78r. (a) The clear width of passageways serving as exits shall be—

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

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

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

Common Halls—Width, Light and Ventilation.

78r. (a) A common hall serving bedrooms or other habitable rooms having an aggregate floor area of not more than 750 square feet shall be not less than three feet six inches in clear width and shall be increased three inches in width for every additional 750 square feet of floor area, or part thereof, in the bedrooms or other habitable rooms served:

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

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-tenth of the floor area of such hall.

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. 23—1965, "Artificial Lighting of Buildings".

Every common hall shall be ventilated by means of—

- 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 34 square inches for every 600 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
- 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 34 square inches for every 600 square feet or less of floor area of the common hall; or
- a ventilating skylight or skylights; or
- mechanical ventilation to a standard approved by the council.

Provided that where any part of a common hall is distant more than 100 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 subclause 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.

Where a common hall is lighted by means of a skylight, such skylight shall be formed of wired glass or protected by a screen outside of galvanised wire netting 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. A ventilating skylight shall be equipped with permanent ventilation openings by means of louvres, open ridges or the like, and shall provide in the aggregate an effective ventilating area of not less than 34 square inches for every 600 square feet or less of floor area of the common hall.

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.
Bathrooms, Shower Rooms and Water-closets.

73A. (a) In a hotel where a public sewerage system or septic tank is available, separate water-closets shall be provided for each sex at the rate of one closet for every twelve persons or part of twelve persons of each sex ordinarily lodging or residing in the building, and, in addition, adequate close and urinal accommodation shall be provided for the use of non-resident patrons.

(b) At least one bathroom shall be provided for every eight persons or less ordinarily lodging or residing in the building, but where more than two bathrooms are provided one half the number may be shower rooms only.

Provided that in assessing, for the purposes of this subclause, the number of persons ordinarily lodging or residing in the building it shall not be necessary to take into account the occupants of any bedroom to which a private bathroom or shower room is attached.

(c) The minimum width of a bathroom shall be five feet, and the minimum floor area 28 square feet, where the water-closet is in a separate compartment. Where the water-closet is fixed in the bathroom the minimum floor area of the bathroom 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. The minimum width of a shower room shall be three feet and the minimum floor area 18 square feet.

(d) Where running water is or can be made available wash-hand-basins shall be provided in each bedroom and each bathroom.

(e) Hot water shall be provided to all baths and in addition where practicable shall be provided to all showers and wash-hand-basins.

(f) Water-closets shall be fixed in separate compartments and the minimum width of a water-closet compartment shall be two feet nine inches and the minimum floor area twelve square feet: Provided that where a bedroom has a private bathroom attached for the exclusive use of the occupants of the bedroom a water-closet may be installed in such bathroom but any such water-closet shall be in addition to the minimum number prescribed in subclause (a) of this clause.

(g) The height of a bathroom, shower room or water-closet shall be not less than eight 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).
Water Supply for Fire Extinction.

788. (a) In the design and erection of a hotel of more than three storeys in height (exclusive of cellar or basement) there shall be provided adequate appliances and water supply for the extinction of fire.

(b) Where a public water service is available such supply shall consist of a rising main, branches, hydrants and other appurtenances as required by the Board of Fire Commissioners of New South Wales.

Cellars—Height, Ventilation and Access.

787. (a) A cellar shall not be designed or adapted for occupation as a habitable room.

(b) The height of a cellar shall not be less than seven feet from floor to ceiling and the height from floor to the underside of beams or joists supporting the floor above shall be not less than six feet six inches.

(c) Every cellar shall be so constructed that for every 1,000 cubic feet or part thereof of air space in the cellar there shall be 24 square inches at the least of unobstructed 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.

(d) Every cellar shall be provided with at least one access door for the delivery of merchandise. Such access door shall be so designed and constructed that it shall not encroach upon a public place.

(e) Every cellar shall be made waterproof, shall be adequately drained, and shall be provided with an impervious floor.

Part VIIA.—Hostels, Lodging Houses.

Application of Part.

79. This Part shall apply to hostels and lodging 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 hostels and lodging houses.

Proportion of Site which may be Covered.

80. A hostel or a lodging house, 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 500 square feet.

Provided that the Council may permit a hostel or a lodging house 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 500 square feet:

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.

Other Provisions Applicable.

81. The provisions for number of storeys, space outside windows on boundary line, courts, vent shafts, fire-resistant construction, sound-proof construction, number of exits, interior stairways, fire-isolated stairways, passageways, common halls, bathrooms, shower rooms, water-closets, and water supply for fire extinction in relation to hotels shall apply to hotels and lodging houses.

PART VII.—HOLIDAY CABINS.

Application of Part.

81A. This Part shall apply to holiday cabins 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 holiday cabins.

Holiday Cabin Districts.

81B. (a) The Council may with the approval of the Governor define any portion of the area as a district within which holiday cabins may be erected: Provided that no such district shall be situated within twelve miles of the General Post Office at Sydney or within nine miles of the Post Office at Newcastle.

(b) A holiday cabin shall not be erected except in a portion of an area defined in pursuance of subclause (a) of this clause.

Groups.

81C. (a) A holiday cabin shall not be erected except as a unit of a group.

(b) A group of holiday cabins shall consist of not less than six cabins and the appurtenances common thereto.
Position of Buildings on Site.

81d. (a) Every building in any group of holiday cabins shall be situated not less than 50 feet from any public road, or such greater distance as the council may specify.

(b) A holiday cabin shall be situated not less than 25 feet from the boundaries of the land occupied by the group.

(c) The minimum distance of the external walls of a holiday cabin from the external walls of any other holiday cabin shall be 30 feet. Provided that where a permanent adequate reticulated water supply is available, and permanent and adequate fire fighting appliances are provided, such minimum distance may be reduced to 20 feet.

Floor Area.

81e. The floor area of a holiday cabin shall not be less than 300 square feet, exclusive of the bathroom.

Kitchens.

81f. Comprised within each holiday cabin there shall be a kitchen or alcove where food may be prepared, which shall be fitted with a cooking stove and a sink with running water laid thereto.

Height of Rooms.

81g. ... ... ... ... ... ... ... ... ... ... New clause, 25/7/47.

Bathrooms and shower rooms.

81h. (a) Common bathrooms shall be provided at the rate of two for each sex for each six, seven or eight holiday cabins in a group. Additional common bathrooms shall be provided in respect of holiday cabins in excess of eight in number in any group at the rate of one for each sex for each four and any number less than four holiday cabins in such group.

Provided that in assessing, for the purposes of this subclause, the number of holiday cabins in a group it shall not be necessary to take into account any cabin to which a bathroom or a shower room is attached for the exclusive use of the occupants of such cabin.

(b) ... ... ... ... ... ... ... ... ... ... Substituted subclause, 28/10/34.

(c) Where only two common bathrooms for each sex are prescribed by subclause (a) of this clause one of such bathrooms may be a shower room and where three or more common bathrooms for each sex are so prescribed two of each three such bathrooms may be shower rooms.

(d) The minimum width of a bathroom shall be five feet and the minimum floor area twenty-six square feet. The minimum width of a shower room shall be three feet and the minimum area eighteen square feet.
(a) Each bathroom and shower room shall be provided with running water. Each bathroom and common shower room and, in areas where electricity or gas is available and where the Council so requires, each shower room comprised within a holiday cabin shall be provided with an approved appliance for heating water.

Laundries.

81J. (a) Not less than one common laundry shall be provided for each twelve, and any number less than twelve, holiday cabins in a group.

(b) Each such laundry shall have a floor area of not less than 70 square feet and shall be fitted with two pairs of washtubs and two copper pans, and running water shall be laid thereto.

General.

81J. Except as otherwise provided in this Part, a holiday cabin shall comply with the provisions applicable to dwelling-houses set out in Part III of this Ordinance.

81K. No person shall use or occupy any holiday cabin in a group for any period exceeding in the aggregate six weeks in any period of twelve months, nor shall a person use or occupy any holiday cabin in a group for any period or periods which, added to the period or periods of his occupancy or use of any other holiday cabin or cabins in such group, would exceed in the aggregate six weeks in any period of twelve months.

Part VIO.—Motels.

Application of Part.

81L. This Part shall apply to motels 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 motels.

Site—Minimum Size.

81M. The Council may in respect of different portions of its area by resolution fix the minimum size of an allotment of land upon which a motel may be erected and where such a minimum has not been so fixed the minimum size of any such allotment shall be 10,000 square feet: Provided that such minimum fixed by the Council shall not be less than 10,000 square feet.

Provision of Open Space.

81N. A proportion of the allotment on which a motel stands at least equal in area to 300 square feet for each bedroom or suite of bedrooms in the motel shall not be built upon or obstructed except that shade trees or car ports or other such structures used only for the sheltering of vehicles may be so placed or erected thereon as not to prevent maximum use of such land for the standing of vehicles: Provided that where space for the standing of vehicles is incorporated within the motel building or buildings the area of the required unbuilt upon land may be reduced by the total area of such space: Provided also that in
no case shall the unbuilt upon area be less than one-third of the area of the allotment on which the motel stands: Provided also that in any locality where a public sewerage system is not available an additional area of unbuilt upon land adequate in the opinion of the Council for the satisfactory disposal of any septic tank or septic closet effluent, or other drainage shall be provided.

**Number of Bedrooms.**

81o. Every motel shall contain at least six bedrooms for the overnight accommodation of travellers.

81p. ... ... ... ... ... ... ** New clause, 29/1/95.
     Clause amended, 1/4/95.

81q. ... ... ... ... ... ... ** New clause, 29/1/95.
     Clause omitted, 29/1/95.

**Number of Exits.**

81r. (a) Every motel building exceeding one storey in height shall be provided with alternative stairways which shall be as remote as practicable from each other, discharging directly to a public place or to a court yard or open area that connects directly with a public place. Where the building exceeds two storeys in height, fire-isolated stairways shall be provided in accordance with subclause (b) of this clause.

**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 in any storey served by the stairway 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 subclause (2) of clause 78a of this Ordinance with respect to hotels.

A doorway discharging directly, or from a passageway conforming with the provisions of this Ordinance to a public place or to a court yard 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.

* 87741—7
Distance from Exit.

(a) The entrance doorway of a bedroom or suite of bedrooms in a motel shall not be more than 80 feet distant, measured along the shortest line of travel, from a public place or from a court yard or open area that connects directly with a public place or from a stairway or passageway conforming with the provisions of this Ordinance.

Cellars and Basements.

(d) For the purposes of this clause a cellar or basement shall not be considered a storey. A basement shall be provided with alternative means of escape.

Bathrooms, Shower Rooms and Water-closets.

813. (a) Common bathrooms shall be provided at the rate of one bathroom for each sex for every six bedrooms or less. Provided that in assessing for the purposes of this subclause, the number of bedrooms in a motel it shall not be necessary to take into account any bedroom or suite of two or more bedrooms (if there is only one entrance to such suite) to which a bathroom or a shower room is attached for the exclusive use of the occupants of such bedroom or suite of bedrooms:

(b) Where only two common bathrooms for each sex are prescribed by subclause (a) of this clause, one of such bathrooms may be a shower room and where three or more common bathrooms for each sex are so prescribed, two of each three such bathrooms may be shower rooms:

(c) Every bathroom shall be provided with a bath and every shower room shall be provided with a shower compartment.

(d) In a motel where a public sewerage system or septic tank is available, separate water-closets shall be provided at the rate of one closet for each sex for every six bedrooms or less, other than a bedroom to which a water-closet is attached for the exclusive use of the occupants of the bedroom.

(e) The minimum width of a bathroom shall be five feet and the minimum floor area twenty-six square feet. The minimum width of a shower room shall be three feet and the minimum floor area eighteen square feet. Where a water-closet is fixed in the bathroom or shower room the prescribed floor area shall be increased by not less than seven and a half square feet and the additional floor area may be in the form of a suitable recess or alcove.

(f) Where a water-closet is fixed in a separate compartment the minimum width of the compartment shall be two feet nine inches and the minimum floor area twelve square feet.
(d) The doorway of a common bathroom, common shower room or common water-closet shall not open directly to a bedroom.

(b) Where running water is or can be made available wash-hand-basins shall be provided in each bedroom to which a private bathroom or shower room is not attached for the exclusive use of the occupants of the bedroom and in each bathroom or shower room.

(i) Hot water shall be provided to all baths and showers and in addition where practicable shall be provided to all wash-hand-basins.

(j) Subclause omitted. 27/9/42.

(k) The height of a bathroom, shower room or water-closet shall be not less than eight 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).

(l) Where a public sewerage system is not available the following provisions regarding night-soil disposal shall apply:

(i) If the land is suitable in the opinion of the council for the satisfactory disposal of septic tank effluent and an adequate water supply for a septic tank is or can be made available, a septic tank shall be installed.

(ii) If the requirements of paragraph (i) of this subclause cannot be met and the land is suitable in the opinion of the council for the satisfactory disposal of septic closet effluent and an adequate water supply for septic closets is or can be made available, septic closets shall be installed.

(iii) If the requirements of paragraph (i) of this subclause regarding installation of a septic tank and the requirements of paragraph (ii) of this subclause regarding installation of septic closets cannot be met, other means of night-soil disposal shall be adopted to the requirements of the council.

Facilities for Heating Water.

81. If facilities for heating water are not provided in each bedroom or suite of bedrooms there shall be provided for the use of motel guests a room or alcove having a floor area of not less than 30 square feet in which there shall be installed a sink with running water laid thereto and facilities for heating water.
Common Laundry.

81u. (a) Common laundries shall be provided at the rate of one laundry for each 48 bedrooms or less.

(b) Each such laundry shall have a floor area of not less than 48 square feet, shall have running water laid thereto and shall be provided with the following equipment:

(i) one set of two-compartment washtubs and copper or other means of washing clothes for each 16 bedrooms or less; or

(ii) one set of mechanical equipment for washing and completely drying clothes for each 24 bedrooms or less.

Access.

81v. (a) A motel shall be provided with means of access from a public road adequate in the opinion of the Council for the removal of garbage and refuse and for the ingress and egress of vehicles.

(b) Such means of access may, if the Council so permit, be provided by way of a covered passage running through a building other than a passage in the nature of an internal hall.

Other Provisions Applicable.

81w. The provisions for space outside windows on boundary line, courts, vent shafts, fire-resisting construction, sound-proof construction, interior stairways, fire-isolated stairways, passageways, common halls, and water supply for fire extinction in relation to hotels shall apply to motels.

PART VII.—ENFORCEMENT.

Inspection—Cutting into building.

82. (a) The Council may order the opening, or cutting into, or pulling down of any work where the Council has reason to believe or suspect that anything has been done in contravention of the Act or of any Ordinance, and in the event of the work being found to have been done in contravention of the Act or of the Ordinances, the person doing the work shall be required to comply with the Act or the Ordinances, and shall bear the full cost of such pulling down, opening, or cutting into, and of compliance with the Act or the Ordinances.

(b) In the event of the work being found to have been done in accordance with the requirements of the Act and the Ordinances, the cost of such pulling down, opening, or cutting into, as well as the cost of reinstatement, shall be borne by the Council.
38. (a) Before permitting any person to use or occupy any uncompleted building, and forthwith upon completion of any unoccupied building, the person by or in consequence of whose order the building is being erected shall give notice in writing to the Council.

(b) Forthwith upon receipt of notice as aforesaid the Clerk shall instruct the proper servant to make an inspection, and such servant shall inspect and report to the Council whether or not the building has been erected in accordance with this Ordinance and without material deviation from the approved plans and specifications, but this shall not be read to permit any alteration whatever in the position of the building on the site.

(c) Such report shall not be deemed to be evidence (in the event of any prosecution hereunder) that this Ordinance has been complied with.

(d) Application for permission to use or occupy a building which has not been completed in accordance with the approved plans and specifications shall be made in writing to the Council. The Council may grant permission as aforesaid subject to such conditions as it may deem proper in the circumstances and without prejudice to the foregoing may require that the building shall be completed in accordance with the approved plans and specifications within a period to be fixed by the Council.

(e) The Council may at any time revoke such permission provided that such revocation shall not be effective until the expiration of a period of not less than six months after service upon the occupant of notice of intention by the Council to so do.

(f) Any person who, without the permission of the Council, uses or occupies a building which has not been completed in accordance with the approved plans and specifications shall be liable to a penalty not exceeding ten dollars for each day during which such use or occupation continues after notice from the Council.

Penalties.

84. (a) Any person who erects a building in contravention of this Ordinance shall be liable to a penalty not exceeding one hundred dollars; and also a daily penalty not exceeding ten dollars per day for any continuance of the offence.

(b) Any person who neglects to comply with any provision of this Ordinance shall, where a penalty is not elsewhere prescribed, be liable to a penalty not exceeding ten dollars for a first offence, or twenty dollars for a second and any subsequent offence; and also in either case a daily penalty not exceeding one dollar per day for any continuance of the offence.

* See section 316 of the Act as to the Council's power to prohibit the use or occupation of a building until it is completed.
O. 71.

“Tents” — Special Provision.

88. (a) This clause shall apply to the following areas and parts of areas:

NAME OF AREA.

Cities and Municipalities.

Albury (City)        Ku-ring-gai
Arimdale (City)      Leichhardt
Auburn              Lismore (City)
Ballina             Lithgow (City)
Bankstown           Maitland (City)
Bega                Manly
Blue Mountains (City) Marrickville
Botany              Moree
Brookhill (City)     Mosman
Burwood             Muswellbrook
Campbelltown        Narrabri
Casino              Narromine
Cundobolin          Newcastle (City)
Cooma               Orange (City)
Cowra               Parkes
Cootamundra         Parramatta (City)
Dubbo               Peak Hill
Forbes              Penrith
Glen Innes          Quakanbeyan
Goulburn (City)      Randwick
Deniliquin (towns of North Deniliquin and South Deniliquin) Rockdale
Doggie              Kyrie
Grafton (City) (those portions which comprised such City and the Municipality of South Grafton as constituted immediately before 1st January, 1987) Shellharbour
Greater Cessnock (City) Strathfield
Greater Wollongong (City) Sydney (City) (other than that part which comprised such City as constituted immediately before 1st January, 1949)
Grenfell             Temora
Gunnedah            Tenterfield
Hay                 Wagga Wagga (City)
Holroyd             Waverley
Hunter's Hill        Willoughby
Inverell            Windsor
Kempsey             Wingham
Kiama               Yass
Shires.

Balranald (that portion of Shire formerly comprised within the Municipality of Balranald).

Barraba (that portion of Shire formerly comprised within the Municipality of Barraba).

Bellingen (town of Bellingen and villages of Urunga and Dorrigo).

Bingara (that portion of the Shire formerly comprised within the Municipality of Bingara).

Blacktown.

Bland (towns of Barmedman and West Wyalong).

Bundanoon.

Boorowa (that portion of Shire formerly comprised within the Municipality of Burrowa).

Boree.

Brewarrina (that portion of Shire formerly comprised within the Municipality of Brewarrina).

Byron (villages of Byron Bay and Brunswick Heads).

Carrathool (town of Hillaton and villages of Carpathool, Darlington Point, Goolgowi, Merriwagga and Rankin's Springs).

Cobar (that portion of Shire formerly comprised within the Municipality of Cobar).

Coff's Harbour (town of Coff's Harbour and village of Woolgoolga).

Coolah (town of Dunedoo and villages of Leadville, Mandooran and Merrygoose).

Coonabarabran (town of Baradine, villages of Binnaway and Ulamambri, and the portion of the Shire described in Schedule "I" to this Ordinance).

Coonamble (that portion of Shire formerly comprised within the Municipality of Coonamble).

Corowa (that portion of Shire formerly comprised within the Municipality of Corowa).

Crookwell (Crookwell Town Improvement District, with boundaries as described in Government Gazette No. 140 of 28th December, 1945).

Cudgegong (village of Wyalda and that portion of Shire formerly comprised within the Municipality of Gulgong).

Darling (that portion of Shire formerly comprised within the Municipality of Bourke).

Dungog (those portions of Shire formerly comprised within the Municipality of Dungog and the Shire of Lower Hunter).

Eurobodalla (Batemans Urban Area, Moruya Urban Area, and Noorooma Urban Area).

Gilgandra (Gilgandra Urban Area).

Gloucester (Gloucester Urban Area).
Shires—continued.

Gosford (villages of Lisarow, Wagstaffe, Hardy's Bay, Davistown, Empire Bay, Saratoga, Kinumber, Kinumber South, Avoca, Green Point, Point Clare, Koolewong, Mooney Mooney Point, Erina, Wamberal and Terrigal; the portion of the Shire described in Schedule "C" to this Ordinance; and the portion of the Shire formerly comprised within the Municipality of Gosford).

Guyra.

Holbrook (Holbrook Urban Area).

Inlay.

Jerilderie ("E" Riding).

Jindalee (Stockinbingal Urban Area and town of Wallendbeen).

Kyogle (as far as Part XI of the Act applies).

Lachlan (Lake Cargelligo Urban Area and villages of Tullibigeal, Burcher, Tottenham, Albert and Fifield).

Lake Macquarie.

Leeton (town of Leeton, and villages of Whitton and Yanco).


Macintyre (town of Delungra).

Macleay (towns of Yamba, Nola and Lawrence and villages of Harwood and Brushgrove).

Manilla (that portion of the Shire formerly comprised within the Municipality of Manilla and that portion of the Shire formerly comprised within the Shire of Mansfield to which Part XI of the Act applies).

Manning (villages of Tuncurry and Harrington).

Merriwa (villages of Merriwa, Cassilis and Ulan).

Mittagong (that portion of Shire formerly comprised within the Municipality of Mittagong).

Molong (Gumnook Town Improvement District (with boundaries as described in Government Gazette No. 230 of 21st December, 1950), towns of Molong East and Molong West, and village of Yeoval).

Mumbulla.

Murray (that portion of Shire formerly comprised within the Municipality of Moama).

Murrumbidgee (so far as Part XI of the Act applies).

Nambucca (Bourvarille Urban Areas Nos. 1 and 2, Macksville Urban Area and the village of Nambucca Heads).

Nama (Boggabri Urban Area, Wee Waa Urban Area, Bellata Town Improvement District (with boundaries as described in Government Gazette No. 141 of 1st September, 1950), town of Pilliga, and villages of Gwavagar and Bean Ba).

Narrandera (that portion of Shire formerly comprised within the Municipality of Narrandera).
Shirra—continued.

Oberon.

Patrick Plains (those portions of Shire formerly comprised within the Municipality of Greater Cessnock and the Shire of Lower Hunter).

Peel.

Port Stephens.

Rylstone (Rylstone Urban Area, Kandos Urban Area, Charbon Urban Area and village of Clandulla).

Scone (those portions of Shire formerly comprised within the Municipalities of Aberdeen and Scone).

Shoalhaven (those portions of Shire formerly comprised within the Municipality of Berry and the Municipality of Ulladulla, and Huskisson Improvement District, with boundaries as described in Government Gazette No. 137 of 22nd October, 1926).

Stroud.

Sutherland (so far as Part XI of the Act applies).

Talbragar.

Tamarang (so far as Part XI of the Act applies).

Tintenbar.

Tweed (so far as Part XI of the Act applies).

Ulmarra (village of Wooli and the portion of the Shire described in Schedule “H” to this Ordinance).

Uralla (that portion of Shire formerly comprised within the Municipality of Uralla).

Wade.

Walcool (town of Moulamein and village of Barham).

Walcha (those portions of Shire comprised within Walcha town boundaries and Walcha suburban boundaries, as notified under the Crown Lands Acts in Government Gazettes of 10th March, 1885, and 5th July, 1901, respectively).

Walgett (town of Walgett).

Warren (that portion of Shire formerly comprised within the Municipality of Warren).

Warringah (excluding Ku-ring-gai Chase).

Wellington (that portion of the Shire formerly comprised within the Municipality of Wellington).

Wentworth (so far as Part XI of the Act applies).

Woodburn (village of Evans Head).

Wyong.

Yallare (villages of Warialda, Burgar, Gravesend, Coolatai and Koloona).

Yarrowlumb (town of Captain’s Flat and that part of the village of Bungendore to which Part XI of the Act applies).
(b) This clause shall apply to "Tents," and no provision of Part XI of the Act except section 306, paragraph (28) of section 318, and section 319, and no clause of this Ordinance except this clause and clause 84 shall extend to tents.

(c) In this Ordinance "Tent" shall extend to and include any structure wholly or in the main part of textile material.

(d) A person shall not erect a tent unless upon application made for the purpose he obtains the approval of the Council or of a servant of the Council authorised to grant such approval.

(e) A person erecting or procuring the erection of a tent shall comply with such conditions, as to position, construction, and sanitation, as the Council may attach to its approval, or as the Council's authorised servant may require and specify, and shall pay such fee (if any) upon his application as the Council may fix.

(f) Any person who erects a tent in contravention of this clause of this Ordinance or who fails to comply with any conditions attached to the approval of the Council or required or specified by the Council's authorised servant shall be liable to the penalties prescribed in paragraph (a) of clause 84 of this Ordinance.

"Temporary Buildings"—Special Provision.

88. (1) This clause shall apply to temporary buildings and no other clause of this Ordinance except clauses 83 and 84 shall extend to temporary buildings.

(2) In this clause "temporary building" shall not include—

(a) any building designed for use for residential purposes;

(b) any building erected by way of alteration, addition or extension to an existing building;

(c) any building more than one storey in height.

(3) The Council may approve of the erection of a temporary building. Any such approval—

(a) shall be subject to a condition that the building shall be demolished within such period not exceeding five years from the date of its approval as the Council may determine;

(b) may be subject to such other conditions as to location, construction or provision of conveniences for sanitation or otherwise as the Council may impose.
(4) A temporary building shall not be used for—
(a) residential purposes;
(b) the storage or handling of inflammable materials;
(c) any purpose after the expiration of the period determined by the Council under paragraph (a) of subclause (3) of this clause.

(5) The owner of the land on which a temporary building is erected shall, before the expiration of the period determined by the Council under paragraph (a) of subclause (3) of this clause, demolish the temporary building.

(6) If the owner of the land fails to demolish the building within such period the building shall be deemed to be in breach of this Ordinance and upon conviction for an offence against the provisions of subclauses (4) or (5) of this clause the Council may enter upon the land and demolish the building. All expenses incurred by the Council in effecting any such demolition may be recovered by the Council from the owner.

| SCHEDULE “B.” | New Schedule, 20/12/29 | Omitted, 30/7/33. |
| SCHEDULE “C.” | New Schedule, 20/12/29 | Omitted, 11/1/46. |
O. 71. 108

SCHEDULE "G."

Part of Gosford Shire to which clause 85 applies:—Commencing on a southern boundary of the Shire at Jurno Head; and bounded thence by a line north-north-west to a point rectangularly distant 5 chains from the left bank of the Hawkesbury River; by a line 8 chains distant from and parallel to that bank downwards and 8 chains distant from and parallel to the right bank of Patonga Creek upwards to the westerly prolongation of the northern boundary of portion 110; by a line along that boundary westerly to the southerly prolongation of the eastern boundary of portion 110; by a line along that boundary, the southern and eastern boundaries of portion 171 and the southern and western boundaries of portion 196 generally northerly to a northern boundary of the Sydney to Newcastle railway land; by that boundary and the south-western boundary of portion 11 generally north-westerly to the south-western corner of that portion; by a line along the north-western boundary of that portion north-easterly to a point rectangularly distant 5 chains from the right bank of the north-western arm of Woy Woy Creek; by a line 8 chains distant from and parallel to that bank upwards to an eastern boundary of the Shire; and by boundaries of the Shire southerly and westerly generally, to the point of commencement.

SCHEDULE "E."

Commencing at the eastermmost corner of allotment 12, section 6, shown on plan catalogued Ms. 4175 Gfn.; and bounded thence by a line due east to the foreshore of the South Pacific Ocean; by that foreshore generally northerly to the eastermmost extremity of Rocky Point, parish of Booda, county of Clarence; by a line due west to its intersection with the north-westerly prolongation of the south-western boundaries of allotments 1 and 2, section 1, shown on the said plan catalogued Ms. 4172 Gfn.; by that prolongation and those boundaries south-easterly to the south-western corner of the said allotment 2; by Sandon-road north-easterly and south-easterly to the south-western corner of allotment 18, section 1; by the road 1 chain wide extending from that corner to the westernmost extremity of Hia-watha-road south-westerly to that extremity; and by Hia-watha-road generally south-easterly and generally north-easterly to the point of commencement.

SCHEDULE "T."

Commencing at the south-eastern corner of portion 138, parish of Coonasbarabran, county of Goven; and bounded thence by a line along the eastern boundary of that portion, crossing the Gladstone River, northerly to the south-eastern corner of portion 68; by the north-eastern boundary of that portion, the northern boundary of portion 61 and the eastermmost boundary of portion 331, north-westerly, easterly and northerly to the northermmost corner of the said portion 331 by a line north-westerly to the south-eastern corner of portion 285; by the generally eastern boundary of that portion northerly to the south-eastern boundary of portion 285; by part of that boundary and the northern boundary of the said portion 285, north-easterly and westerly to the north-western corner of that portion; by a line southerly to the south-eastern corner of portion 432; by the southern boundary of portions 432 and 359 westerly; by part of the south-eastern boundary of portion 33, parish of Nandi, south-westerly to the southermmost corner of that portion; by a line southerly to the north-eastern corner of portion 170, parish of Coonasbarabran; by the easterm boundary of that portion southerly; by the northern boundary and a line along the generally westerly boundary of portion 285, westerly and generally southerly to the north-western corner of portion 98, parish of Urabriple; by the western and southern boundaries of that portion and the southern boundary of portions
94 and 91, southerly and easterly to the south-eastern corner of the last-mentioned portion; by a line north-easterly to the south-western corner of portion 87; by the southern boundary of portions 87 and 88 easterly to the road from Blinaway to Coonabarabran; by that road north-westerly to the south-western corner of portion 217, parish of Coonabarabran; by the southern boundary of that portion, the southern and eastern boundaries of portion 221 and part of the northern boundary of the said portion 221, easterly, northerly and westerly to a point south of the south-eastern corner of portion 218; by a line along the eastern boundary of that portion northerly to the north-eastern corner of the said portion 218; by a line easterly to the south-eastern corner of portion 223; by a line along the eastern boundary of that portion and the eastern and northern boundaries of portion 222, northerly and westerly to the north-eastern corner of portion 88; and by a line along the eastern boundary, the southern boundary, and part of the western boundary of portion 88, southerly, westerly and northerly to the point of commencement.

BY AUTHORITY:
V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1972