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[1960

MUNICIPAL CORPORATIONS ACT, 1906-1956.

Municipality of Northam.

The Construction, Establishment, Operation, and Maintenance of Motels.

By-law No. 69.

A By-law of the Municipality of Northam made under Section 180 of the Municipal Corporations Act, 1906-1956, and numbered 69, for Regulating the Construction, Establishment, Operation and Maintenance of Motels.

IN pursuance of the powers conferred by the said Act the Mayor and councillors of the Municipality of Northam order as follows—

Definitions.

1. (1) In this by-law "motel" means any premises used or intended to be used for providing accommodation to the travelling public at large, for reward and denominated by the owner or occupier by the use of the word "motel," whether alone or in conjunction with other words.

(2) Without limiting the generality of sub-clause (1) of this clause, a motel may be or comprise premises licensed under the provisions of the Licensing Act, 1911.

(3) "Council" means the council of the Municipality of Northam.

General.

2. (1) A person shall not establish or operate a motel other than in accordance with this by-law.

(2) A person shall not use the word "motel" in connection with any premises unless those premises are currently registered as a motel with the Council.

Sites.

3. (1) A motel shall not be established or operated other than upon a site set apart under any Town Planning Scheme or Zoning By-Law as a site for "special use (motels)," in accordance with the provisions of the Town Planning and Development Act, 1928, and the Municipal Corporations Act, 1906.

(2) A motel shall not be established or operated on any site having an area of less than one acre or in such manner that the area of the site used provides less than 3,000 square feet for each residential unit.

(3) Any site used for the establishment or operation of a motel shall be provided with means of ingress from and egress to a public road by an entry and drive-ways properly paved and approved by the Council.

Distance of Buildings from Boundaries.

4. (1) A motel shall not be constructed in such a way that any portion of the building is nearer to the street alignment than is permitted under the provisions of any Building Line By-Laws, Building By-Laws, Town Planning Scheme or Zoning By-Laws of the Council, and in the absence of such by-laws or scheme, within twenty five feet of the street alignment.

(2) No motel building shall comprise of more than two stories or be constructed so that any portion of that building is nearer to the side or rear boundary of the site than ten feet, and motel buildings shall be so sited that their walls are of an average distance of no less than twenty feet from any side or rear boundary of the site.

(3) Notwithstanding the provisions of sub-clauses (1) and (2) of this clause, eaves, hoods and ornamental fixtures may be extended a distance of three feet nearer to any boundary than thereby prescribed.

Composition of Motels.

5. Any motel shall comprise at least—
- (a) ten residential units;
 - (b) a cafe, cafeteria or restaurant, or, in the alternative to the foregoing, a dining-room and kitchen, for common use;
 - (c) a common laundry;
 - (d) a flat or residence for the manager or person in charge of the motel;
 - (e) parking space as in this by-law provided; and
 - (f) a garden or plantation surrounding the site.

Composition of Residential Unit.

6. (1) Any residential unit of a motel shall comprise at least—
- (a) a bed-sitting room;
 - (b) a car park;
 - (c) luggage storage space; and
 - (d) an ablution and toilet unit.
- (2) The minimum floor area of any residential unit exclusive of any patio, covered way or car park shall be—
- (a) two hundred square feet where the unit is intended to accommodate one person; and
 - (b) three hundred square feet where the unit is intended to accommodate more than one person.

Structure.

7. (1) Any motel shall be constructed in accordance with the Building By-laws of the Council.

(2) Residential units shall be so constructed that, where the walls of any two of those units form an included angle of less than ninety degrees with one another, no part of a window in one of those walls shall be within twenty feet of any window in the other.

(3) Where provision is made in any building for one residential unit to open into another residential unit, there shall be an intervening door having a fire resistance rating of at least two hours' duration and being capable of being locked from either side.

Ablution Units.

8. (1) An ablution unit shall include—
- (a) A shower cubicle;
 - (b) a hand basin;
 - (c) an air lock and water closet.
- (2) Hot and cold running water shall be provided to the shower and hand basin of each ablution unit.
- (3) Where it is desired to provide baths in addition to showers, those baths may be installed in a common bathroom.

Cooking Facilities.

9. (1) Any residential unit shall be provided with one power point.
- (2) Where in any motel no cafe, cafeteria or restaurant is provided and operating, there shall be a common kitchen having a floor area of at least one hundred square feet and a dining-room having a floor area of at least one hundred and fifty square feet for every ten residential units or part of that number of units.
- (3) Any common kitchen shall have installed at least one stove and one sink for every ten residential units or part of that number of units.

Laundry.

10. In any motel there shall be a common laundry of a floor area of at least fifty square feet having therein installed either one copper or one washing machine and one set of wash troughs for every ten residential units or part of that number of units.

Car Park.

11. (1) Any motel shall have a car park appurtenant to and within a distance of fifteen feet of each residential unit unless the Council shall approve of a car park being of a greater distance from any residential unit.
- (2) There shall be adequate means of access to and manouevring space at each car park.
- (3) In the case where a restaurant, swimming pool, dance floor or other facilities are provided at any motel for the use of the public other than the residents there shall, in addition to that provided by subclause (1) of this clause, be on site parking space in the ratio of one car space for every three patrons additional to residential patrons.
- (4) In the other case where any motel is licensed under the provisions of the Licensing Act, 1911, there shall, in addition to any parking space hereinbefore provided by this by-law, be on site parking space in the ratio of one car space for every twenty-five square feet of licensed floor space or part of that area, exclusive of floor space devoted to storage, service area, refrigeration areas and like utility areas.

Furniture.

12. (1) A residential unit in any motel shall be provided with a suitable complement of bedding and furniture in good order, repair and condition, and there shall be in each residential unit at least—
- (a) one spring bedstead for each person occupying the unit;
 - (b) one mattress for each bedstead;
 - (c) all usual linens, blankets and bedspreads for each bed;
 - (d) one easy chair;
 - (e) one luggage rack;
 - (f) hanging space for clothing; and
 - (g) one table, desk or dresser or any combination of those articles of furniture.
- (2) A common dining-room in any motel shall be provided with the following furniture, at least—
- (a) one seat for each single residential unit and two seats for each double residential unit; and
 - (b) one table for each four seats.

Advertising Sign.

13. No entrance sign or gate way shall be erected on the front boundary of any motel unless that sign or gate way shall first have been approved by the Council.

Resident Manager.

14. (1) In any case where the owner or occupier of a motel is not in residence at that motel he shall appoint a manager or other responsible person to reside and be in charge of the motel.

- (2) A person shall not be the manager of or be in charge of a motel who—
- (a) is an undischarged bankrupt;
 - (b) has been convicted of any indictable offence; or
 - (c) has been or is convicted more than three times of offences against this by-law or against the Health Act and Regulations.

Compliance With Other By-laws.

15. Nothing in this by-law shall be deemed to relieve any person from obligation to comply with any regulation or by-law made pursuant to the provisions of the Municipal Corporations Act, the Town Planning and Development Act and the Health Act.

Registration.

16. (1) Any person requiring to establish or operate a motel shall apply for initial registration of the motel to the Council, and registration, if approved, shall operate until the 31st of December then next following.

(2) Any application for renewal of the registration of a motel shall be made in the month of January and unless registration is renewed a person shall not continue the operation of the subject premises as a motel.

Penalty.

17. (1) Any person committing a breach of this by-law shall be liable to a penalty not exceeding twenty pounds and the imposition and payment of any penalty shall not relieve any person of liability to rectify any breach of this by-law.

(2) Where by the Act, or by any of this by-law, any act is directed to be done or forbidden to be done, or where any authority is given to the Council, or any officer of the Council to direct any act to be done, or forbid any act to be done, and such act shall remain undone, or having been forbidden shall be done, in every case the person making default as to any such direction or prohibition as the case may be, shall be deemed guilty of an offence.

Passed by the Council of the Municipality of Northam at the ordinary meeting of the Council held on the 24th day of August, 1960.

A. H. RUSHTON,
Mayor.
N. J. D. RIDGWAY,
Town Clerk.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 7th day of December, 1960.

R. H. DOIG,
Clerk of the Council.

MUNICIPAL CORPORATIONS ACT, 1906.

Municipality of Geraldton.

By-Law No. 39—By-law relating to Motels.

L.G. 828/60.

A By-law of the Municipality of Geraldton made under Section 180 of the Municipal Corporations Act, 1906, and numbered 39, for Regulating the Construction, Establishment, Operation and Maintenance of Motels.

IN pursuance of the powers conferred by the said Act, the mayor and councillors of the Municipality of Geraldton order as follows:—

Definition.

1. (1) In this By-law "motel" means any premises used or intended to be used for providing accommodation to the travelling public at large, for reward and denominated by the owner or occupier by the use of the word "motel" whether alone or in conjunction with other words.

(2) Without limiting the generality of sub-clause (1) of this clause, a motel may be or comprise premises licensed under the provisions of the Licensing Act, 1911.

General.

2. (1) A person shall not establish or operate a motel other than in accordance with this by-law.

(2) A person shall not use the word "motel" in connection with any premises unless those premises are currently registered as a motel with the Council.

Sites.

3. (1) A motel shall not be established or operated other than upon a site set apart under any Town Planning Scheme or Zoning By-law as a site for "special use (motels)," in accordance with the provisions of the Town Planning and Development Act, 1928 or the Municipal Corporations Act, 1906.

(2) A motel shall not be established or operated on any site having an area less than one acre or in such manner that the area of the site used provides less than 3,000 square feet for each residential unit.

(3) Any site used for the establishment or operation of a motel shall be provided with means of ingress from and egress to a public road by an entry and drive-ways properly paved and approved by the Council.

Distance of Buildings from Boundaries.

4. (1) A motel shall not be constructed in such way that any portion of a building is nearer to the street alignment than is permitted under the provisions of any Building Line By-laws, Building By-laws, Town Planning Scheme or Zoning By-laws of the Council and in the absence of such by-laws or scheme, within twenty-five feet of the street alignment.

(2) No motel building shall comprise more than two stories or be constructed so that any portion of that building is nearer to the side or rear boundary of the site than ten feet, and motel buildings shall be so sited that their walls are of an average distance of no less than twenty feet from any side or rear boundary of the site.

(3) Notwithstanding the provisions of sub-clauses (1) and (2) of this clause, eaves, hoods, and ornamental fixtures may be extended a distance of three feet nearer to any boundary than thereby prescribed.

Composition of Motels.

5. Any motel shall comprise at least—

- (a) ten residential units;
- (b) a cafe, cafeteria or restaurant or, in the alternative to the foregoing, a dining room and kitchen, for common use;
- (c) a common laundry.
- (d) a flat or residence for the manager or person in charge of the Motel.
- (e) parking space as in this by-law provided; and
- (f) a garden or plantation surrounding the site.

Composition of Residential Unit.

6. (1) Any residential unit of a Motel shall comprise at least:

- (a) a bed sitting room;
- (b) a car park;
- (c) luggage storage space; and
- (d) an ablution and toilet unit.

(2) The minimum floor area of any residential unit, exclusive of any patio, covered way or car park shall be—

- (a) two hundred square feet where the unit is intended to accommodate one person; and
- (b) three hundred square feet where the unit is intended to accommodate more than one person.

Structure.

7. (1) Any motel shall be constructed in accordance with the Building By-laws of the Council.

(2) Residential units shall be so constructed that, where the walls of any two of those units form an included angle of less than ninety degrees with one another, no part of a window in one of those walls shall be within twenty feet of any window in the other.

(3) Where provision is made in any building for one residential unit to open into another residential unit, there shall be an intervening door having a fire resistance rating of at least two hours' duration and being capable of being locked from either side.

Ablution Units.

8. (1) An ablution unit shall include—

- (a) a shower cubicle;
- (b) a hand basin;
- (c) an air lock and water closet.

(2) Hot and cold running water shall be provided to the shower and hand basin of each ablution unit.

(3) Where it is desired to provide baths in addition to showers those baths may be installed in a common bathroom.

Cooking Facilities.

9. (1) Any residential unit shall be provided with one power point.

(2) Where in any motel, no cafe, cafeteria or restaurant is provided and operating, there shall be a common kitchen having a floor area of at least one hundred square feet and a dining room having a floor area of at least one hundred and fifty square feet for every ten residential units or part of that number of units.

(3) Any common kitchen shall have installed at least one stove and one sink for every ten residential units or part of that number of units.

Laundry.

10. In any motel there shall be a common laundry of a floor area of at least fifty square feet having therein installed either one copper or one washing machine and one set of wash troughs for every ten residential units or part of that number of units.

Car Parking.

11. (1) Any motel shall have a car park appurtenant to and within a distance of fifteen feet of each residential unit unless the Council shall approve of a car park being of a greater distance from any residential unit.

(2) There shall be adequate means of access to and manoeuvring space at each car park.

(3) In the case where a restaurant, swimming pool, dance floor, or other facilities are provided at any motel for the use of the public other than residents there shall, in addition to that provided by subclause (1) of this clause, be on site parking space in the ratio of one car space for every three patrons additional to residential patrons.

(4) In the case where any motel is licensed under the provisions of the Licensing Act, 1911, there shall, in addition to any parking space hereinbefore provided, by this clause, be on site parking space in the ratio of one car space for every twenty five square feet of licensed floor space or part of that area, exclusive of floor space devoted to storage, service areas, refrigeration areas and like utility areas.

Furniture.

12. (1) A residential unit in any motel shall be provided with a suitable complement of bedding and furniture in good order, repair and condition, and there shall be in each residential unit at least—

- (a) one spring bedstead for each person occupying the unit;
- (b) one mattress for each bedstead;
- (c) all usual linens, blankets and bedspreads for each bed;
- (d) one luggage rack;
- (e) one easy chair;
- (f) hanging space for clothing; and
- (g) one table, desk or dresser or any combination of those articles of furniture.

(2) A common dining-room in any motel shall be provided with the following furniture, at least—

- (a) one seat for each single residential unit and two seats for each double residential unit; and
- (b) One table for each four seats.

Advertising Sign.

13. No entrance sign or gate-way shall be erected on the front boundary of any motel unless that sign or gate-way shall first have been approved by the Council.

Resident Manager.

14. (1) In any case where the owner or occupier of a motel is not in residence at that motel he shall appoint a manager or other responsible person to reside at and be in charge of the motel.

- (2) A person shall not be the manager of or be in charge of a motel who—
 - (a) is an undischarged bankrupt;
 - (b) has been convicted of any indictable offence; or
 - (c) has been or is convicted more than three times of offences against this by-law or against the Health Act and Regulations.

Compliance with Other By-Laws.

15. Nothing in this by-law shall be deemed to relieve any person from obligation to comply with any regulation or by-law made pursuant to the provisions of the Municipal Corporations Act, the Town Planning and Development Act and the Health Act.

Registration.

16. (1) Any person requiring to establish or operate a motel shall apply for initial registration of the motel to the local authority and registration if approved shall operate until the 31st day of December then next following.

(2) Any application for renewal of the registration of a motel shall be made in the month of January, and unless registration is renewed a person shall not continue the operation of the subject premises as a motel.

Penalty.

17. (1) Any person committing a breach of this by-law shall be liable to a penalty not exceeding twenty pounds and the imposition and payment of any penalty shall not relieve any person of liability to rectify any breach of this by-law.

(2) Where by the Act, or by any of this by-law, any act is directed to be done, or forbidden to be done, or where any authority is given to a local authority, or any officer of a local authority, to direct any act to be done, or to forbid any act to be done, and such act shall remain undone, or having been forbidden shall be done, in every such case the person making default as to any such direction or prohibition, as the case may be, shall be deemed guilty of an offence.

Passed by absolute majority of Council on the 23rd day of November, 1960.

[L.S.]

C. S. EADON-CLARKE,
Mayor.
C. J. RAYNOR,
Town Clerk.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 7th day of December, 1960.

R. H. DOIG,
Clerk of the Council.

ROAD DISTRICTS ACT, 1919-1959, AND THE TOWN PLANNING
AND DEVELOPMENT ACT, 1928-1959.

Rockingham Road District.

Amendment to Safety Bay Townsite Zoning By-Laws.

L.G. 693/59.

THE By-Laws published in the *Government Gazette* on 17th August, 1951, page 2280/1 and as amended from time to time are hereby amended as follows:—

Business Areas—Second Schedule—Add after Clause 2(h) the following:—

- (i) Lot 559 Corner of Currie and Farrington Streets, Warnbro Beach Estate.

Passed by the Rockingham Road Board on the 28th June, 1960.

A. POWELL,

Chairman.

D. J. CUTHBERTSON,

Secretary.

Recommended—

L. A. LOGAN,

Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 7th day of December, 1960.

R. H. DOIG,

Clerk of the Council.

ROAD DISTRICTS ACT, 1919.

Cockburn Road Board.

By-laws for the Prevention of Damage to Footpaths and Kerbing.

L.G. 850/60.

THE Cockburn Road Board under and by virtue of the powers conferred on it in that behalf by the Road Districts Act 1919-1956, and all other powers enabling it, doth hereby make and publish the following by-laws.

1. In these by-laws the term footpath shall mean and include that portion of a surveyed road which is between the kerb edge of the portion of a road paved for the use of vehicular traffic and the boundary of the surveyed road. The term kerb shall mean and include the kerb or edge of the portion of a road paved for the use of vehicular traffic where any kerb either in wood or concrete exists at the edge of the paved road whether any footpath has been constructed or not.

2. No person shall drive any vehicle over or across a kerb or footpath except at a specially constructed crossing place unless with the permission of the Board and in accordance with these by-laws.

3. No person shall trench through or under a kerb or footpath without first obtaining the written consent of the Cockburn Road Board.

4. No person shall drive a vehicle or permit a vehicle to be driven across a kerb or footpath if such vehicle is so heavy or is of such a nature that it causes or is likely to cause damage to the kerb or the paving of the footpath unless with the permission of the Board and in accordance with these by-laws.

5. Any person (hereinafter called the applicant) who desires—

(a) to cross a kerb or footpath with a vehicle at a place not a specially constructed crossing place; or

(b) to carry out building or other operations or works necessitating the crossing of a kerb or footpath with vehicles which are likely to cause damage to the kerb or paving of the footpath whether at a specially constructed crossing place or not

shall make application in writing to the Board specifying the place at which such crossing is to be made and with his application pay to the Board a deposit of fifteen pounds (£15).

6. If the permission of the Board shall be granted to the applicant he shall comply with the following conditions:—

- (a) (i) If the paved portion of the footpath shall be constructed of concrete slabs he shall carefully remove them from the footpath for a width of sixteen feet at the proposed crossing and neatly stack them on the adjoining land.
- (a) (ii) If the kerbing at the edge of the paved road shall be constructed of concrete kerbing blocks he shall carefully remove them from the kerb for a width of sixteen feet at the proposed crossing and neatly stack them on the adjoining land.
- (b) (i) He shall place in the position from which the slabs have been removed a temporary crossing of sixteen feet wide and of a length equal to the width of the paved portion of the footpath. The temporary crossing shall be constructed of hardwood planks of at least eight inches by two inches in section of which the ends shall be chamfered downwards securely nailed together with hoop iron straps at four foot centres. The said planking shall be firmly bedded and laid true to the level of the original footpath.
- (b) (ii) He shall place in the position from which concrete kerbing has been removed a temporary crossing of sixteen feet wide and at least three feet in length. The temporary crossing shall be constructed of hardwood planks of at least eight inches by two inches in section of which the ends shall be chamfered downwards securely nailed together with hoop iron straps at four foot centres. The said planking shall be firmly bedded and laid true to the level of the edge of the paved road and shall be laid so as to abut directly against the edge of the paved road and shall be held in position by pegs inserted sufficiently far into the soil as to prevent movement of the temporary crossing away from the abutting edge of the paved road.
- (c) When the necessity no longer exists for such temporary crossing or when called upon to do so by notice in writing from the Board the applicant shall remove the planking, replace the slabs or kerbing in a proper workmanlike manner to original level and line and shall replace with new slabs or kerbing of equal quality and size any slabs which have been lost, damaged or broken.
- (d) (i) In the case of a footpath constructed in total or part of bitumen surfaced gravel, gravel, limestone or crushed metal he shall place in position where the crossing is to be made a temporary crossing sixteen feet wide and of a length equal to the width of the paved portion of the footpath. The temporary crossing shall be constructed of hardwood planks of at least eight inches by two inches in section of which the ends shall be chamfered downwards to the existing footpath surface securely nailed together with hoop iron straps at four foot centres. The said planking shall be firmly bedded and laid true.
- (d) (ii) In the case of a wooden kerb at the edge of a paved road he shall place in position where the crossing is to be made a temporary crossing consisting of hardwood at least sixteen feet wide tapering from a depth of one-quarter of an inch to the full height of the wooden kerbing over a length of not less than eight inches the ends whereof shall be chamfered downwards to the existing paved road surface and shall place against the edge of the wooden kerbing furthest from the road paving and abutting against the wooden kerbing a crossing constructed similarly to that referred to in paragraph (b) (ii), of this by-law which shall be laid with the top thereof level with the top of the wooden kerb.
- (e) When the necessity no longer exists for such a temporary crossing or when called upon to do so by notice in writing from the Board the applicant shall remove the planking and clean off the footpath.

7. Should any person desire to trench through or under a constructed footpath he shall apply in writing to the Board and lodge with the Board a deposit of five pounds (£5).

8. The applicant and the person mentioned in By-laws 5, 6, and 7 hereof shall make good all damage caused to the footpath and the kerbing, guttering and paved road during the whole of the time the works are in progress. If any damage shall have occurred and shall not have been made good the Board is authorised to make good such damage and deduct the cost from the deposit. If the cost exceeds the amount of the deposit the applicant or other person aforesaid shall pay to the Board on demand the amount by which the cost exceeds the amount of the deposit held. If no damage has been caused or if the damage has been made good to the satisfaction of the Board the Board shall repay the deposit or the portion remaining after the costs incurred by the Board have been paid.

9. Any person committing a breach of any of these by-laws or failing to comply with any of the said conditions shall upon conviction be liable to a penalty not exceeding twenty pounds (£20).

Passed by the Cockburn Road Board at an ordinary meeting of the Board held on the 23rd day of November, 1960.

J. H. COOPER,
Chairman.

E. L. EDWARDS.,
Secretary.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 7th day of December, 1960.

R. H. DOIG,
Clerk of the Council.

ROAD DISTRICTS ACT, 1919.

Wyndham Road Board.

By-laws for Regulating the Construction, Establishment, Operation and Maintenance of Motels.

L.G. 669/60.

IN pursuance of the powers in that behalf contained in the Road Districts Act, 1919, the Wyndham Road Board hereby makes the following by-laws:—

Definition.

1. (1) In these by-laws "motel" means any premises used or intended to be used for providing accommodation to the travelling public at large, for reward and denominated by the owner or occupier by the use of the word "motel," whether alone or in conjunction with other words.

(2) Without limiting the generality of sub-by-law (1) of this by-law, a motel may be or comprise premises licensed under the provisions of the Licensing Act, 1911.

General.

2. (1) A person shall not establish or operate a motel other than in accordance with these by-laws.

(2) A person shall not use the word "motel" in connection with any premises unless those premises are currently registered as a motel with the Board.

Sites.

3. (1) A motel shall not be established or operated other than upon a site set apart under any Town Planning Scheme or Zoning By-law as a site for "special use (motels)," in accordance with the provisions of the Town Planning and Development Act, 1928, or the Road Districts Act, 1919, as the case may be.

(2) A motel shall not be established or operated on any site having an area of less than one acre or in such manner that the area of the site used provides less than 3,000 square feet for each residential unit.

(3) Any site used for the establishment or operation of a motel shall be provided with means of ingress from and egress to a public road by an entry and drive-ways properly paved and approved by the Board.

Distance of Buildings from Boundaries.

4. (1) A motel shall not be constructed in such way that any portion of a building is nearer to the street alignment than is permitted under the provisions of any Building Line By-laws, Building By-laws, Town Planning Scheme or Zoning By-laws of the Board and in the absence of such by-laws or scheme, within twenty-five feet of the street alignment.

(2) No motel building shall comprise more than two stories or be constructed so that any portion of that building is nearer to the side or rear boundary of the site than ten feet, and motel buildings shall be so sited that their walls are of an average distance of no less than twenty feet from any side or rear boundary of the site.

(3) Notwithstanding the provisions of sub-by-laws (1) and (2) of this by-law, eaves, hoods and ornamental fixtures may be extended a distance of three feet nearer to any boundary than thereby prescribed.

Composition of Motels.

5. Any motel shall comprise at least—

- (a) ten residential units;
- (b) a cafe, cafeteria or restaurant or, in the alternative to the foregoing, a dining-room and kitchen, for common use;
- (c) a common laundry;
- (d) a flat or residence for the manager or person in charge of the motel;
- (e) parking space as in these by-laws provided; and
- (f) a garden or plantation surrounding the site.

Composition of Residential Unit.

6. (1) Any residential unit of a motel shall comprise at least—

- (a) a bed-sitting room;
- (b) a car park;
- (c) luggage storage space; and
- (d) an ablution and toilet unit.

(2) The minimum floor area of any residential unit, exclusive of any patio, covered way or car park shall be—

- (a) two hundred square feet where the unit is intended to accommodate one person; and
- (b) three hundred square feet where the unit is intended to accommodate more than one person.

Structure.

7. (1) Any motel shall be constructed in accordance with the Building By-laws of the Board.

(2) Residential units shall be so constructed that, where the walls of any two of these units form an included angle of less than ninety degrees with one another, no part of a window in one of those walls shall be within twenty feet of any window in the other.

(3) Where provision is made in any building for one residential unit to open into another residential unit, there shall be an intervening door having a fire resistance rating of at least two hours' duration and being capable of being locked from either side.

Ablution Units.

8. (1) An ablution unit shall include—

- (a) a shower cubicle;
- (b) a hand basin;
- (c) an air lock and water closet.

(2) Hot and cold running water shall be provided to the shower and hand basin for each ablution unit.

(3) Where it is desired to provide baths in addition to showers those baths may be installed in a common bathroom.

Cooking Facilities.

9. (1) Any residential unit shall be provided with one power point.

(2) Where in any motel no cafe, cafeteria or restaurant is provided and operating, there shall be a common kitchen having a floor area of at least one hundred square feet and a dining-room having a floor area of at least one hundred and fifty square feet for every ten residential units or part of that number of units.

(3) Any common kitchen shall have installed at least one stove and one sink for every ten residential units or part of that number of units.

Laundry.

10. In any motel there shall be a common laundry of a floor area of at least fifty square feet having therein installed either one copper or one washing machine and one set of wash troughs for every ten residential units or part of that number of units.

Car Parking.

11. (1) Any motel shall have a car park appurtenant and within a distance of fifteen feet of each residential unit unless the Board shall approve of a car park being of greater distance from any residential unit.

(2) There shall be adequate means of access to and manoeuvring space at each car park.

(3) In the case where a restaurant, swimming pool, dance floor or other facilities are provided at any motel for the use of the public other than residents there shall, in addition to that provided by sub-by-law (1) of this by-law, be on site parking space in the ratio of one car space for every three patrons additional to residential patrons.

(4) In the case where any motel is licensed under the provisions of the Licensing Act, 1911, there shall, in addition to any parking space hereinbefore provided by this by-law, be on site parking space in the ratio of one car space for every twenty-five square feet of licensed floor space or part of that area, exclusive of floor space devoted to storage, service areas, refrigeration areas and like utility areas.

Furniture.

12. (1) A residential unit in any motel shall be provided with a suitable complement of bedding and furniture in good order, repair and condition, and there shall be in each residential unit at least—

- (a) one spring bedstead for each person occupying the unit;
- (b) one mattress for each bedstead;
- (c) all usual linens, blankets and bedspreads for each bed;
- (d) one easy chair;
- (e) one luggage rack;
- (f) hanging space for clothing; and
- (g) one table, desk or dresser or any combination of those articles of furniture.

(2) A common dining room in any motel shall be provided with the following furniture, at least—

- (a) one seat for each single residential unit and two seats for each double residential unit; and
- (b) one table for each four seats.

Advertising Sign.

13. No entrance sign or gate-way shall be erected on the front boundary of any motel unless that sign or gate-way shall first have been approved by the Board.

Resident Manager.

14. (1) In any case where the owner or occupier of a motel is not in residence at that motel he shall appoint a manager or other responsible person to reside at and be in charge of the motel.

(2) A person shall not be the manager of or be in charge of a motel who—

- (a) is an undischarged bankrupt;
- (b) has been convicted of any indictable offence; or
- (c) has been or is convicted more than three times of offences against these by-laws or against the Health Act and Regulations.

Compliance with other By-laws.

15. Nothing in these by-laws shall be deemed to relieve any person from obligation to comply with any regulation or by-law made pursuant to the provisions of the Road Districts Act, the Town Planning and Development Act and the Health Act.

Registration.

16. (1) Any person requiring to establish or operate a motel shall apply for initial registration of the motel to the Board, and registration, if approved shall operate until the 31st day of December then next following.

(2) Any application for renewal of the registration of a motel shall be made in the month of January and unless registration is renewed a person shall not continue the operation of the subject premises as a motel.

Penalty.

17. (1) Any person committing a breach of these by-laws shall be liable to a penalty not exceeding twenty pounds and the imposition and payment of any penalty shall not relieve any person of liability to rectify any breach of these by-laws.

(2) Where by the Act, or by any of these by-laws, any act is directed to be done, or forbidden to be done, or where any authority is given to the Board, or any officer of the Board, to direct any act to be done, or to forbid any act to be done, and such act shall remain undone, or having been forbidden shall be done, in every such case the person making default as to any such direction or prohibition, as the case may be, shall be deemed guilty of an offence.

Passed by the Wyndham Road Board at a meeting held on the 8th August, 1960.

D. M. SHARPE,
Chairman.

G. GAUNT,
Secretary.

Recommended—

L. A. LOGAN,
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council on this 7th day of December, 1960.

R. H. DOIG,
Clerk of the Council.

ROAD DISTRICTS ACT, 1919.

Wyndham Road Board—Building By-laws.

L.G. 507/59.

IN pursuance of the powers in that behalf contained in the Road Districts Act, 1919, the Wyndham Road Board makes the following by-laws relating to buildings:—

Part 1.—Operation and Definition.

Application.

1. These by-laws shall apply to the townsite of Wyndham and all land vested in the Wyndham Road Board.

Commencement.

2. These by-laws shall come into operation immediately upon their confirmation and approval by the Governor and publication in the *Government Gazette*.

Definitions.

3. In these by-laws, subject to the context—

“Act” means the Road Districts Act, 1919, and amendments;

“alteration” means any work made or done for any purpose in, or on a building (except that of necessary repairs not affecting the construction of any external, cross, or party wall), or any change in the purpose of which the building or erection, or any part thereof shall be used;

“apartment” means a room or rooms or part of a building intended or adapted for a separate occupation as a dwelling, and includes a flat;

“apartment building” means a building containing two or more apartments;

“approved” means approved by the Board in writing or (in cases where the surveyor is authorised by the Board to do so, approved by the surveyor in writing);

“area” applied to a building means the sum of the superficies of the horizontal sections of each storey made at the point of the greatest surface of each floor inclusive of the external walls and such portions of the party walls as belong to the building;

“Board” means the Wyndham Road Board;

“build” means and includes erect, build, or construct, or cause to be erected, built or constructed;

“building” means and includes erection, structure, detached room, outbuilding, hoarding, and every structure of whatever kind capable of affording protection or shelter, either roofed, or intended or adapted to be roofed, and whether enclosed by roofs or not, and every part of such structure and any additions or alterations thereto;

“builder” means the master builder or other person employed to execute any work or, if there is no master builder or other person so employed, then the owner of the building or other person for whom or by whose orders such work is to be done;

“dwelling house” means a building used or adapted to be used wholly or principally for human habitation;

“District” means Wyndham Road District;

“external wall” means the outer wall of a building, not being a party wall, even though it adjoins a wall of another building;

“fire-resisting” used with reference to any materials includes—

(a) brickwork constructed of good bricks well burnt hard and sound; properly bonded and solidly put together with good lime or cement mortar, or cement bricks or blocks;

(b) any stone suitable for building purposes by reason of its solidity or durability;

- (c) sheet metals or other similar materials which are, in the opinion of the Board, fire-resisting;
- (d) iron and steel (when used for columns, girders, or wall framing) encased in cement, concrete, or other incombustible or non-conducting external coating;
- (e) slate, tiles, brick, and terra-cotta, when used for coverings or corbels;
- (f) concrete when composed of broken bricks, stone chippings or ballast and lime cement or calcined gypsum;
- (g) asbestos cement sheets;
- (h) pressed wood or other similar sheets which are, in the opinion of the Board, fire-resisting;

“frontage” means the distance measured at right angles to one of the sides of the land from the terminal point thereof to the opposite side, or a continuation of such opposite side;

“garage” means any building used for the housing of a motor vehicle (not being a garage carried on as a business undertaking);

“height” in relation to any building means measurement taken from the level of the footway (if any) immediately in front of the centre of the building, or when there is no such footway, from the level of the ground before excavation to the level of the ceiling or tie of the topmost storey;

“main rooms” means and includes all rooms used or intended to be used as bedrooms, dining-rooms, lounges, ordinary living rooms or kitchens;

“new buildings” includes—

- (a) any building erected or commenced to be erected after the date of these by-laws coming into operation;
- (b) any building of which more than half of its cubical contents has been taken down or destroyed by fire, tempest, or otherwise, and is re-erected, or commenced to be re-erected wholly or partially on the same site after the date of these by-laws coming into operation;
- (c) any buildings removed or transported wholly or in sections into the district, or to another part of the district after the date of these by-laws coming into operation;

“outbuildings” means any building or the curtilage of any dwelling, shop or combined shop and dwelling used as a workshop or store-room not being a building for the storage of inflammable materials, nor for the housing of animals including birds;

“party wall” means a wall built to be used as a separation of two or more buildings, or a wall forming part of a building built upon the dividing line between adjoining premises for the common use;

“person” includes corporation;

“prescribed” means prescribed by these by-laws;

“public place” has the same meaning as in the Act;

“reinforced concrete” means a form of construction in which cement concrete is reinforced with iron or steel, these materials being so combined that the iron or steel will take up and resist substantially the whole of tensional stresses and assist in the resistance to shear while the concrete will take up and resist the compressional stresses and assist in resistance to shear;

“right-of-way” means any lane or right-of-way not a road over which any person other than the owner thereof has a right of carriage way;

“road” has the same meaning as in the Act;

“S.A.A. code or specification” means the specified code or specification issued by the Standards Association of Australia;

“surveyor” means the building surveyor or acting building surveyor appointed by the Wyndham Road Board having for the time being the administration of these by-laws; and in the absence of the surveyor, means the Secretary;

“shop” means a building in which goods are regularly offered or exposed for sale, in which meals or refreshments are regularly offered or provided for payment and also includes saloons of barbers and hairdressers and offices of agents, auctioneers, and all other businesses and trades. A *bona fide* boarding house shall not be included in this definition by reason only of the fact that meals or refreshments are occasionally supplied for payment to persons other than boarders;

“square” applied to the measurement of any area means the space of 100 square feet;

“surface or ground level” means the level of the ground as determined by the surveyor or engineer;

“wooden buildings” means buildings constructed of wood, or buildings having wooden frames.

Part 2.—Classes of Buildings.

4. For the purpose of these by-laws, buildings shall be divided into three classes:—

Class A—“Domestic Class,” which includes all buildings subject to small vibrations and light loading of floors, such as dwelling houses, residential shops, offices, hotels, private schools, club houses, and studios.

Class B—“Warehouse Class,” which includes all buildings subject to vibrations and heavy loadings of floors, such as warehouses, factories, mills and places for storage and manufacturing of goods.

Class C—“Public Building Class,” which includes all buildings designed to accommodate an assemblage of people, such as theatres, churches, chapels, assembly halls, museums, libraries, public schools, hospitals, lecture rooms, and other like buildings. In case of doubt, the surveyor shall finally determine to which class any particular building belongs.

Part 3.—Notice of Intention to Build or Demolish and Lodging of Plans.

Notice to be Given.

5. No builder shall commence any building, or any addition, or alteration to any building, without first delivering at the office of the Board a written application in the form of the First Schedule hereto before so commencing and delivering to the surveyor:—

Plans and Specifications.

(a) Properly prepared plans and specifications of such building, addition, or alteration, together with a tracing or copy of the plans of such building, addition, or alteration, and also details and dimensions, sizes and qualities of all materials and enumerating any old materials proposed to be used in the construction of the same. Plans shall be drawn in ink, and specifications typed or legibly written. Plans to be of good quality parchment, 22 in. x 15 in. Scale $\frac{1}{4}$ in. to 1 ft. The Board may in its discretion accept a plan which does not fully comply with this paragraph, if the Board is satisfied that the plan gives sufficient information.

Plans and Specifications.

(aa) The Board reserves the right to refuse any permit to build, either business, or residential premises, if in the opinion of the Board the proposed structure as shown on the plans and specifications submitted would be sub-standard, or unsightly and therefore prejudicial to the value of adjoining buildings or property.

Block Plan.

(b) A block plan showing relation of the building to adjoining buildings and boundaries.

Purpose.

(c) A statement in writing of the purpose for which the building is intended to be used.

Drainage.

(d) Particulars of the proposed method of drainage.

Further Particulars.

(e) Such further particulars in writing regarding the same as shall be necessary to enable the Board or its surveyor to determine if all the provisions of these by-laws applicable thereto are being complied with.

Tracing Retained.

6. The tracing or copy of the plans and details of materials shall be retained by the surveyor, and the original plans and specifications when approved shall be evidenced in writing endorsed on the plans and specifications and signed by the surveyor.

Plans, etc., to be Kept at Building.

7. Such plans and specifications shall be kept at the building therein referred to, and shall be available for inspection by the surveyor or accredited officer of the Board at all reasonable times on demand, during the construction or erection, or alteration, or addition, as the case may be, and for 14 days after the completion thereof.

Permits and Fees.

8. No person shall commence a building of any kind or addition or alteration to any building, or demolish any building without first having obtained from the surveyor a written permit for the commencement of the same and without having first paid to the Board fees in accordance with the scale set out in the Second Schedule hereto, having regard to the class of building. The written permit shall be in the Form "A" in the First Schedule hereto.

Area of New Building.

9. The decision of the surveyor as to the area of the new building, or value of an addition, shall be final and conclusive.

Permit Shall Lapse after Six Months.

10. A permit obtained pursuant to these by-laws shall lapse and be of no effect unless the building for which such permit was granted shall be commenced within six months and completed within 12 months from the date of such permit.

Surveyor May Enter and Inspect.

11. The surveyor at all reasonable times during the progress and after the completion of any building, or addition, or alteration, to any building affected by these by-laws may enter and inspect such building, or addition, or alteration. Any person obstructing or hindering the surveyor shall be liable to a penalty of not more than ten pounds (£10).

Surveyor May Stop Work if Contrary to By-laws.

12. The surveyor may at any time stop the progress of any building and withdraw or suspend any permission given by the Board under these by-laws, in the event of his not being satisfied that all the provisions of these by-laws are being complied with, and any person who continues to build, or erect, or works on the site after notice from the surveyor to desist, shall be guilty of an offence against these by-laws.

Demolition or Removal of Buildings.

13. When a building is to be demolished or removed the owner or contractor shall give 24 hours' notice to the surveyor of such intended demolition or removal.

Sanitary Conveniences for Workmen.

14. Before commencing any building operations upon any building site, the contractor, or person responsible for carrying out building operations shall provide sanitary conveniences sufficient for the use of all working upon the site, such sanitary conveniences shall be in accordance with the requirements of the Health Act.

Low-lying Land.

15. Where land upon which a building is to be erected is below the level of the crown of the road adjoining the land frontage, no building shall be commenced until a level has been given by the surveyor. When it is considered by the surveyor that, having regard to the water level during the wet season, filling is required, such filling shall be carried out by the owner or contractor before the commencement of building operations. In the event of there being no made road from which to take the level for any building, the surveyor shall determine the level at which any building shall be commenced and if he considers it to be necessary shall require the owner or contractor to fill in to a given level.

Dwelling Houses—Distance from Road.

16. No building which is intended to be used as a dwelling house, and no addition to any such building, shall be built within a distance of 25 feet measured horizontally from the road to which the building fronts, unless a building line at a different distance has been fixed by a proper authority.

Distance from Side Boundary.

17. No building which is intended to be used as a dwelling house and no addition to any building which is intended to be used as a dwelling house shall be built within a distance of three feet if of brick, or four feet if of wood or wood frame, measured horizontally from the boundary of the allotment on which such building is erected.

Minimum Area of Open Land.

18. At least one-third of the area of any allotment on which a dwelling house is erected shall be left open and unbuilt on and for the exclusive use of the occupiers of the buildings erected upon such allotment.

Provision of Bathroom, Wash-troughs, Copper, etc.

19. Provision shall be made in all new, or re-erected dwellings, for a bathroom fitted with bath or a shower bath and washbasin, also laundry facilities consisting of wash troughs and copper, properly fitted and housed in accordance with any provisions of the Health Act and any regulations or by-laws made thereunder which may from time to time be applicable.

Computing Distances.

20. For the purpose of computing distances from any building, the outer face of the wall shall be taken as the point from which measurements are to be taken.

Occupation of Dwelling.

21. No person or persons shall occupy any new or re-erected dwelling before completion, nor shall any person or persons occupy any new or re-erected dwelling until a certificate has been issued by the surveyor or secretary to the Board in writing stating that the dwelling has been completed in accordance with the plans approved by the Board, Building By-laws and Health Act.

Stables.

22. Permanent stables may be erected with walls of brick, stone, concrete, galvanised iron or sheet metal, provided that in stables of more than two squares in area, the distance of any wall of such stable from land not in the same occupation or possession shall not be less than the vertical height of such wall including the vertical portion of a gable and roof from the boundary of the land not in the same occupation or possession.

Distance of Stables from Boundaries.

23. No stable may be erected nearer than 30 feet to any dwelling, nor more than 10 feet to the boundary of land not in the same occupation.

Fowl Houses.

24. (a) (i) Except as provided in subclause (ii) of this clause, no fowl house shall be built closer than three feet to a boundary of a site.

(ii) A fowl house may be erected on a rear or side boundary of a site up to the rear of any dwelling to which it is appurtenant.

(iii) A wall of a fowl house which is erected within three feet of a boundary must be constructed of brick, stone, concrete, galvanised iron or sheet metal, and must be carried up as a parapet 15 inches in height above the roof, flat or gutter of the fowl house. But the boundary walls may be of material other than brick, stone, concrete, galvanised iron or sheet metal if they abut a right-of-way or lane over which the owner of the fowl house has rights.

(b) Fowl houses—

- (i) shall have a height not exceeding eight feet and a total superficial area not exceeding 100 square feet;
- (ii) shall be distant not less than 60 feet from the boundary of any street or road to which the building has a frontage except in cases where the Health By-laws permit any lesser distance;
- (iii) shall comply with the requirements of the Health By-laws.

Garages.

Materials.

25. (a) Every garage shall be constructed of fire-resisting material or galvanised iron or sheet metal on steel or iron frame unless otherwise approved by the Board.

Position of Garage.

(b) No garage shall be erected nearer than the dwelling house to which it is appurtenant to any road fronted by such dwelling house. Provided that if there is no means of access for motor vehicles to the rear portion of the allotment on which such dwelling house is erected a garage may be erected on the front boundary of such allotment subject to a plan showing the exact position in which such garage is proposed to be erected, and the approximate position of any buildings in the allotments adjoining, together with the design of the garage proposed to be erected and the front elevation thereof being submitted to and approved of by the Board but so that no part of such garage shall be between the dwelling house and the road.

In special cases where the physical configuration or dimensions of the ground preclude the observance of the distance prescribed in this by-law, the Board may permit the erection of a garage in another position.

Doors of Garage.

- (c) The doors of a garage when opened shall not encroach on any road.

Garage Incorporated with Dwelling.

(d) Where a garage is incorporated as part of the main building it shall in all respects conform thereto, but must have a ceiling of fire-resisting material approved by the surveyor or secretary.

Garages on Corner Blocks.

(e) No garage shall be erected on a corner block at a less distance from the road on the side boundary than the adjoining building is from such road, or if there is no adjoining building, at a less distance than 20 feet from such road.

Car Ports.

(f) Car ports may be constructed in lieu of or in addition to a garage on supports of iron, steel, brick or stone, with roof of iron.

Apartment Buildings.

Area of Land to be Occupied.

26. The total floor area of an apartment building together with the floor area of any other buildings erected on the same allotment, shall not exceed half the area of such allotment.

Area of Each Apartment.

27. Every apartment hereafter erected, constructed or adopted or altered shall comprise not less than three habitable rooms complying with the requirements of by-law 74 in addition to any bathroom, laundry or water closet required to be provided by the Health By-laws.

28. Notwithstanding the provisions of by-law 27, the Board may prescribe areas by zoning where single unit flats may be erected comprising a bed-sitting room of not less than 180 square feet, a kitchen of not less than 50 square feet together with any bathroom, laundry or water closet required to be provided by by-laws under the Health Act.

Apartment to be Self-contained.

29. Every apartment shall be self-contained; it shall contain its own kitchen, bathroom and lavatory. It shall have separate entrance from the outside of the building, and such entrance shall be constructed of fire-resisting materials as defined in the building by-laws of the Board for the time being in force.

Part 4.—Building Materials.

30. All workmanship and materials used in the construction or alteration of any building shall be the best of their respective kinds and in accordance with recognised building practice; all materials used in any building must be of good quality and shall be subject to the approval of the surveyor or secretary, and the surveyor shall have the power to condemn any material which in his opinion is not suitable for use in such building or addition.

Second-hand Material.

31. (a) No local bush timber, or bush timber of any description to be used in any building, or structure whatsoever unless approved by the Board.

(b) No old or second-hand material may be used in any building unless approved in writing by the surveyor or secretary.

Bricks.

32. Bricks used in any building must be good, hard and well burnt. When old bricks are used in any wall they shall be thoroughly cleaned before being used.

Sand.

33. Sand used for mortar or concrete in any building shall be clean and sharp and free from loam, dirt, salt or organic matter.

Lime Mortar.

34. Lime mortar shall be composed of freshly burnt lime and sand in the proportion of at least one part by measure of lime, and not more than three parts by measure of sand. All lime intended to be used for mortar shall be thoroughly burnt, of good quality and be properly slaked before being mixed with sand.

Cement Mortar.

35. Cement mortar shall be composed of good Portland cement or other cement of equal quality, mixed with clean sharp sand, in proportion of at least one part by measure of cement, and not more than four parts by measure of sand.

Timber.

36. All timbers and wooden beams used in any building shall be of good sound material, free from rot, large loose knots, shakes, or other imperfections whereby the strength may be impaired and, in the case of dwellings, shall be such sizes, dimensions and spaces as set forth in by-law 37. In other buildings all timbers shall be of such as will afford safe loadings, and shall be to the satisfaction of the surveyor.

Dimensions and Spacing of Timber.

37. In the construction of wood frame or other buildings where timbers are used, the minimum sizes, dimensions and maximum spacings of such timbers shall except in cases specially approved by the Board in the case of dwellings or other similar buildings, be in conformity with the requirements of S.A.A. Code for Dimensions of Structural Timbers, No. O56-1948, but not less than the dimensions and spacings set out hereunder:—

Minimum Dimensions and Maximum Spacings of Timbers
in Dwelling and Similar Buildings.

Stumps—4 in. x 4 in., at not more than 4 ft. centres.

Bearers—4 in. x 3 in., fixed on edge and spaced not more than 5 ft. centres apart.

Floor Joists—4 in. x 2 in., spaced not more than 18 in. centres; double joists are to be fixed in all cases where joists are parallel to the vermin plates; all floor joists are to be supported at least every 5 ft.

Wall Framing, either—

(a) Vermin Plates and Top Plates—4 in. x 2 in., housed $\frac{3}{8}$ in. for stud.

Intermediate Studs—4 in. x 2 in., spaced up to 24 in. centres and housed $\frac{3}{8}$ in. into plate.

Corner Studs—4 in. x 4 in., or two 4 in. x 2 in.

Openings—Heads, sills and studs to all openings not less than 4 in. x 2 in.

(b) Vermin Plates and Top Plates—3 in. x 2 in., housed $\frac{3}{8}$ in. for studs.

Intermediate Studs—3 in. x 2 in., spaced up to 18 in. centres and housed $\frac{3}{8}$ in. into plates.

Corner Studs—3 in. x 3 in., or two 3 in. x 2 in.

Ceiling Joists—3 in. x 2 in., spaced up to 18 in. centres.

Angle Stops—2 in. x $1\frac{1}{4}$ in.

Hangers—Not less than 8 in. in depth by $1\frac{1}{4}$ in. in thickness, spaced up to 6 ft. on centres with hanging straps to joists of either No. 16 gauge galvanised hoop iron or $1\frac{1}{4}$ in. square hardwood securely spiked to hangers and joists.

Rafters—

For tile or slate or similar roofs, 4 in. x 2 in., spaced not more than 24 in. centres.

For sheet metal roof the spacing may be 4 in. x 2 in., increased to 36 in. or 3 in. x 2 in., spaced not more than 30 in. centres.

Roof Battens—

For tile roofs, a bearing batten of 2 in. x 1 in. to each row of tiles and tiles shall be securely wired to such tie battens.

For sheet metal roofs, battens, 3 in. x $1\frac{1}{2}$ in. shall be used, spaced up to 36 in. centres.

Roof Purlins—4 in. x 3 in.

Roof Struts—3 in. x 3 in.

Collar Ties—3 in. x 2 in.

Valleys, Barge Boards and Fascias—7 in. x $1\frac{1}{4}$ in.

Ridges, Hips—7 in. x 1 in.

Flooring Boards—Shall not exceed 6 in. in width nor be less than $\frac{9}{16}$ in. thick and shall be tongue and grooved, well cramped up and securely nailed and cleaned off.

Weatherboards—Shall have a lap of not less than $\frac{3}{16}$ in. for each inch of board width.

Sashes and Doors—The minimum thickness for sashes shall not be less than $1\frac{3}{8}$ in. and for panelled doors not less than $1\frac{1}{4}$ in.

Unsupported Floors—The floor joists for all unsupported floors of residential buildings shall not be less than 8 in. x 2 in. where the span is less than 10 ft.; 9 in. x 2 in. then for spans up to 13 ft.; and 10 in. x 2 in. then for spans up to 16 ft., and to the approval of the surveyor for greater spans than 16 ft.; such joists shall not be spaced at more than 18 in. on centres and shall be laterally supported by herringbone or other approved strutting or bridging.

Bracing—The framework of all external and internal walls shall be well braced with battens not less than 3 in. x $\frac{5}{8}$ in.

All gable roofs shall be braced against lateral movement with timber not less than $1\frac{1}{2}$ in. in width.

The Board may insist that brick or concrete piers or steel rails set in concrete shall be used in lieu of stumps.

Tubular steel or iron, or angle iron, or similar material of sufficient cross section, may be substituted for timbers.

Lintels.

38. Builders casting lintels in position shall submit to the surveyor a plan showing position and details of reinforcement and specifications of materials to be used, such designs to be approved at the same time as the plan of the building. Lintels up to six feet span shall be three courses in depth, lintels from six feet to eight feet span shall be four courses in depth. All such lintels shall be reinforced with at least half-inch steel rods, not less than three rods per lintel, and proper bearing, to the satisfaction of the surveyor, shall be given at each end of lintel.

Part 5.—Construction.

Excavation and Inspection of Trenches.

39. All excavation for footings shall not be less than 12 inches below the natural surface of the ground, except in cases of special construction of foundations approved by the surveyor. No footing shall be placed in position until at least 24 hours' notice has been given to the surveyor that the trenches are ready for inspection.

Walls to Have Footings.

40. Unless with the consent of the surveyor, every external wall, and every party wall not carried on a bressumer, and every pier and storey post shall have footings.

Dimensions of Footings.

41. The width of the bottom of the footing of every wall shall be at least one-half greater than the thickness of the wall at the ground floor level, but in no case less than 16 inches wide, unless approved by the surveyor, and the height of such footing shall be at least equal to the thickness of the wall at its ground level, but in no case less than nine inches.

External Walls.

42. All external walls shall consist of brick, cement brick or block, stone, concrete, reinforced concrete, sheet metal or steel or iron framing, stramit board, or other hard fire-resisting material approved by the Board; provided that any building used or intended to be used solely as a dwelling house may have walls constructed of wood and/or asbestos cement sheets, or wood and galvanised iron or similar metal sheets, subject to the conditions set out in these by-laws for buildings wholly or partly of wood.

Construction of External Walls.

43. Every wall constructed of brick, stone, or other similar material shall be properly bonded and solidly put together with mortar, and no part of such wall shall over-hang any part underneath it to a greater extent than nine inches and as approved by the surveyor, and provided that the projection is well and solidly corbelled out and is carried up vertically in continuation of the lower face thereof. All return walls shall be properly bonded together.

Damp Course.

44. Every wall or fireplace of brick, stone or similar material shall have a damp-proof course of asphalt, distilled tar and hot sand or other approved material at least six inches above the surface of the ground below the lowest floor, and in cases where it is not desirable to place the same throughout the building at the one uniform level, then the said damp course must be laid in horizontal layers connected at the end by a vertical course of the same materials and shall not be less than half an inch in thickness.

Hollow Walls.

45. External walls of brick, stone or concrete, may be constructed as hollow walls if constructed in accordance with the following rules:—

- (a) The inner and outer parts of the wall shall be separated by a cavity which shall throughout be of a width not exceeding two inches or less than one inch.
- (b) The inner and outer parts of the wall shall be securely tied together with suitable bonding ties of adequate strength, formed of galvanised iron, glazed stone-ware, or other material approved. Such ties shall be placed at distances apart not exceeding three feet horizontally and at least every fifth course vertically.
- (c) The thickness of each part of the wall shall throughout be of not less than four and a half inches.
- (d) The aggregate thickness of the two parts, excluding the width of the cavity, shall throughout be not less than the minimum thickness prescribed for solid walls of the same height and length.
- (e) No hollow wall of not more than 11 inches in thickness shall be greater in superficial extent than three squares in any one storey unless strengthened by a partition wall, fireplace or projecting pier, to the satisfaction of the surveyor.

Concrete Blocks.

46. Concrete blocks shall contain not less than one part cement to five parts mixed aggregate and shall be kept damp for a period of not less than four days, and shall not be used green. The blocks shall be bedded and jointed in cement mortar.

Thickness of Walls—Domestic Class.

47. No external walls in brick, stone, concrete, or cement block shall have less than the thickness prescribed in the following Table A:—

Table A.—Buildings of Domestic Class.

| Length of Wall. | No. of Storeys. | Thickness of Wall in Inches. | |
|---------------------------------|-----------------|------------------------------|--------------|
| | | Ground Floor. | First Floor. |
| Walls built with lime mortar— | | | |
| Not exceeding 30 ft. | 1 | 9 | — |
| | 2 | 9 | 9 |
| Exceeding 30 ft. | 1 | 13½ | — |
| | 2 | 13½ | 13½ |
| Walls built with cement mortar— | | | |
| Not exceeding 30 ft. | 1 | 9 | — |
| | 2 | 9 | 9 |
| Exceeding 30 ft. | 1 | 9 | — |
| | 2 | 13½ | 9 |

48. If any storey exceeds in height 18 times the thickness prescribed for walls of such storey, the thickness of each external and party wall throughout such storey shall be increased to one-eighteenth part of the height of the storey and the thickness of each external, and party wall below that storey shall be increased to that thickness, but any such additional thickness may be confined to piers properly distributed, of which the collective widths amount to one-fourth part of the length of the wall. No increase in thickness of brick walls shall be less than four and a half inches.

49. The height of any storey may be 20 times the thickness of walls prescribed for such storey, if built with cement mortar.

Thickness of Walls—Warehouse Class.

50. The external and party walls of buildings of the warehouse class shall be made of not less thickness than that specified in the following Table B:—

Table B.—Buildings of the Warehouse Class.

| Length of Wall. | No. of Storeys. | Thickness of Walls in Inches. | | |
|-------------------------------|-----------------|-------------------------------|--------------|---------------|
| | | Ground Floor. | First Floor. | Second Floor. |
| Walls built in lime mortar— | | | | |
| Not exceeding 75 ft. | 1 | 13½ | — | — |
| | 2 | 18 | 13½ | — |
| | 3 | 18 | 18 | 13½ |
| Exceeding 75 ft. | 1 | 18 | — | — |
| | 2 | 18 | 18 | — |
| | 3 | 22½ | 18 | 18 |
| Walls built in cement mortar— | | | | |
| Not exceeding 75 ft. | 1 | 13½ | — | — |
| | 2 | 18 | 13½ | — |
| | 3 | 18 | 13½ | 13½ |
| Exceeding 75 ft. | 1 | 13½ | — | — |
| | 2 | 18 | 13½ | — |
| | 3 | 18 | 18 | 13½ |

Thickness of Walls Under Certain Conditions.

51. Walls under 75 feet in length may be constructed nine inches thick, provided they are strengthened with 4½-inch piers, equally spaced, of which the collective widths amount to one-fifth of the length of the wall. The height shall not exceed 12 feet when built of lime mortar or 13 feet when built of cement mortar.

52. The thickness of walls under 20 feet in length may be two-thirds the thickness required for external or party walls, as stated in Tables A and B but in no case less than nine inches.

53. If in any storey of the warehouse class the thickness of the wall as determined by the provisions of this part of these by-laws is less than 1/16th part of the height of such storey, the thickness of the wall shall be increased to 1/16th part of the height of the storey, and the thickness of each external and party wall below that storey shall be increased to that thickness, but any such additional thickness may be confined to piers properly distributed of which the collective widths amount to 1/5 part of the length of the wall. No increase in the thickness of brick walls shall be less than 4½ inches. The height of any storey built in cement mortar may be 18 times the thickness for such storey.

Lengths—How Measured.

54. Walls are deemed to be divided into distinct lengths by return wall, and the length of every wall is measured from the face of one return wall to the face of another. Provided that such return walls are external, party or cross walls of the thickness required by this part of these by-laws and bonded into the wall so deemed to be divided.

Cross Walls.

55. The thickness of a cross wall shall not be less than two-thirds of the thickness hereinbefore required for an external or party wall of the same dimensions and belonging to the same class of building, but never less than nine inches, and no wall subdividing shall be deemed to be a cross wall unless it is carried up to the plate level of the topmost storey, and unless in each storey the aggregate extent of the vertical faces or elevation of all recesses and that of all the openings therein taken together does not exceed one-half of the whole extent of the vertical face or elevation of the wall. If a cross wall is carried on a girder across the ground storey and is supported by piers to the satisfaction of the surveyor, it shall be deemed to be a cross wall in accordance with this regulation; but in one storey buildings of the domestic class, 4½-inch cross walls will be permitted, provided the unsupported length of any wall does not exceed 25 feet.

Cross Wall Becomes External Wall.

56. Whenever a cross wall becomes any part of an external wall, the external part of such cross wall shall be of the thickness required for an external wall of the same height and length belonging to the same class of building, but no portion of such cross wall shall be of less thickness than is required for the external portion thereof.

Internal and Partition Walls.

57. (1) All internal bearing walls and partition walls shall be constructed in such a manner as may be approved by the surveyor and shall be of cement blocks, brick, stone or concrete. All such walls shall be not less than $4\frac{1}{2}$ inches thick; provided that where such walls form a division between flats, then such walls shall not be less than nine inches thick.

(2) Unless with the consent of the surveyor, every such wall, unless carried on a bressumer, shall have footings, and such footings shall be at least twice the thickness of the wall resting upon it.

Isolated Piers.

58. No isolated brick or stone piers shall exceed in height eight times the least diameter of same, if built of lime mortar, and 12 times if built of cement mortar.

Parapet to Walls on Boundary.

59. Where the external wall of any building is erected on the boundary of the land on which the same stands, or where the overhanging eaves or gutters of any building would be within two feet of such boundary, then the external wall of such building shall be carried up to form a parapet of 15 inches at least in height above the roof, or above the highest part of any flat or gutter, as the case may be.

Parapet—Warehouse Class.

60. In buildings of the warehouse class, the thickness of such parapet shall be equal to the thickness of such wall in the topmost storey, and in any other building of a thickness of nine inches at least.

Party Walls.

61. Every party wall shall be carried up for a height of 15 inches above the roof, measured at right angles to the slope thereof; or 15 inches above the highest part of any flat or gutter, as the case may be; and of a thickness (in buildings of the warehouse class) equal to the thickness of such wall in the topmost storey and in any other building, of a thickness of $8\frac{1}{2}$ inches at least with the exception of framed construction, where the party wall may be of framed construction, provided it is covered entirely with some material which will effectively soundproof the wall, or of other materials approved by the Board. Provided, however, that in the case of domestic buildings, where not more than two buildings are erected under one roof, it shall be sufficient if the party wall is carried up at least $8\frac{1}{2}$ inches in thickness to the underside of the roof covering, with the exception of framed construction, where the party wall may be of framed construction provided it is covered entirely with some material which will effectively soundproof the wall, or of other materials approved by the Board, and such roof covering of iron, slate, or other material must be bedded in good mortar or otherwise secured to the satisfaction of the surveyor, and the top of such party wall shall not be hidden from view until it has been approved by the surveyor.

62. Every party wall shall be carried up of the thickness aforesaid above any turret, dormer, lantern light, or other erection of combustible materials fixed upon the roof or flat of any building within four feet of such party wall, and shall extend at the least 15 inches higher and wider on each side than such erection, and every party wall shall be carried up above any part of any roof opposite thereto, and within four feet therefrom.

Roughcast and Stucco.

63. Roughcast and stucco work shall be applied only to brickwork provided that in certain cases, such as gables of dwellings, or other ornamental sections of dwellings, roughcast may be applied to expanded metal fixed in an approved manner.

Interior Walls of Dwellings.

64. The interior of all walls and ceilings of every wooden or wooden-framed building, and the ceiling of every other class of building, which is intended to be used, or which may be used as a dwelling house, shall be constructed of plaster sheets, or other fire-resisting materials, or of other materials approved by the Board.

Roofs.

65. The roof of every building shall be constructed of metal, tiles, slates, glass, artificial stone, asbestos, cement sheets or shingles, or other approved materials approved by the Board.

Reinforced Concrete Buildings.

66. In all cases where reinforced concrete is employed, whether in buildings as a whole or in portions of buildings, before the actual carrying out of the work, or any portion thereof, complete drawings of such work or portion shall be delivered to the surveyor, showing all details of the construction, and the size, spacing, and arrangement of all reinforcing members.

Public Buildings.

67. In any case in which the plans of any public building (proposed) are required by law to be approved by the Public Health Department, or any other department, such approval shall be obtained before such plans are submitted for the Board's approval.

Shops—Minimum Area of Land.

68. No person shall hereafter erect any shop otherwise than upon a site satisfying the following requirements:—

- (a) The area of the site shall be not less than 2,000 square feet unless a smaller area is specially approved by the Board.
- (b) The width of the frontage of the site shall be not less than 16 ft. 6 in., or of an area approved by the Board.

Access to Rear of Shop.

- (c) Every shop shall be so erected and built that, without passing through the building there is a reasonable access to the back premises and offices of such shop for the removal of nightsoil and other refuse to a road or lane 10 feet wide at least.

Separate Entrance for Shop and Dwelling in Different Occupations.

- (d) If a dwelling attached to a shop is in a different occupation from the shop, a separate entrance from the road shall be provided for the sole use of the occupants of the dwelling.

Shop Frontages.

- (e) Every shop building frontage shall be constructed of brick, cement brick, or moulded, or poured concrete, and the thickness, or width shall not be less than six inches, and such frontage shall be continuous to the entire roof section of the building.

Alterations and Additions.

Alterations.

69. Except with the consent of the Board, or the surveyor, no alteration shall be made to any building in such manner that when so altered it will, by reason of such alterations not be in conformity with the provisions of these by-laws relating to new buildings.

Additions and Alterations.

70. Every addition to, or alteration of a building, and any other work made or done for any purpose in or on a building (except necessary repairs which do not affect the construction of a building) shall so far as regards such addition, or alteration or other work, be subject to the provisions of these by-laws relating to new buildings.

Ventilation, Lighting and Drainage—Height of Rooms.

71. The main rooms in all buildings shall be in every part not less than nine feet from floor to ceiling and the minimum height for wash-houses and external bathrooms shall be seven feet. The minimum height of verandahs shall be seven feet from floor level to top of the plate.

Minimum Area of Rooms.

72. (a) Except as provided elsewhere in these by-laws, every habitable room shall have a minimum floor area of not less than 80 square feet.

(b) Every habitable room shall be not less than eight feet wide in its minimum dimensions, except a kitchen which may have a minimum width of seven feet.

A kitchenette which is constructed in the form of an annexe to a habitable room and separated therefrom by an unobstructed opening not less than five feet wide and seven feet high shall not be deemed to be a separate habitable room.

(c) In every dwelling house there shall be one living room with a superficial area of not less than 144 square feet and a minimum width of not less than 10 feet and one bedroom with a minimum area of not less than 120 square feet.

(d) Every bathroom shall be not less than 30 square feet in floor area with a minimum width of five feet and every water closet shall be not less than 13 square feet in area.

(e) Where the water closet is contained within the bathroom, the floor area shall be not less than 40 square feet.

(f) The height of a bathroom or of a water closet shall be not less than seven feet six inches.

(g) Every laundry and wash-house shall have a floor area of not less than 50 square feet and the walls of such buildings shall be an average of eight feet in height from the floor level to the underside of the ceiling, or if there be no ceiling, the underside of the rafters.

(h) Sleepouts shall comply with the provisions of by-law 80 as regards light and ventilation and shall have an average height of not less than eight feet, a minimum height of not less than seven feet and a floor area of not less than 80 square feet.

(i) The Board, if satisfied that there is ample verandah space, may permit the erection of rooms which do not comply with the foregoing paragraphs.

Windows (Natural Lighting).

73. All rooms in a building intended to be used as a dwelling shall have one or more windows opening directly into external air; the area of such windows shall be not less than one-tenth of the area of the floor of the room in which such window or windows are fitted. Windows may, with the approval of the Board, be fitted with moveable shutters in lieu of glazing.

Ventilation (Other than Dwellings).

74. The ventilation of all buildings, parts of buildings, type of ventilators to be used, arrangements and situation of ventilation openings, shall be subject to any provisions of the Health Act or regulations or by-laws made thereunder which may from time to time be applicable.

Ventilation (Dwellings).

75. Every part, and every room of any dwelling house or building intended to be used for habitation, shall be ventilated as required under any provisions of the Health Act or regulations or by-laws made thereunder which may from time to time be applicable.

Ventilation (Sub-floor).

76. The space under the ground floor of every building shall be provided with a sufficiency of openings through all walls under the floors to allow a current of air to flow freely under all parts of the building unless otherwise approved by the Board. Type of ventilator used and spacing of same shall be the subject of approval by the surveyor and in accordance with any provisions of the Health Act or any regulations or by-laws made thereunder which may from time to time be applicable.

Lighting and Ventilation (Shops).

77. The provisions of this part of these by-laws relating to height of rooms, lighting and ventilating of main rooms in dwellings shall as far as applicable apply to all shops save that the windows need not be constructed to open if other approved provisions for ventilation is made, and the minimum height of ceilings in shops shall be ten feet.

Enclosing of Verandahs.

78. No verandah of any dwelling, or shop, or other building shall be enclosed, or built in such manner as to exclude natural light, or reduce the proper ventilation of any building or any part thereof. The use of hessian or jute bags, or similar materials for enclosing or screening verandahs, is prohibited.

Any verandah shall not be totally enclosed for habitation or sleeping, but may be partially enclosed if of a minimum height of seven feet as hereunder:—

- (1) A brick, concrete, jarrah, galvanised iron or sheet metal or asbestos dado shall be constructed for a maximum height of three feet six inches from the floor level of such verandah or sleep-out in accordance with the existing by-laws.
- (2) The space above the dado shall be constructed as follows:—
 - (a) Of fly wire totally; or
 - (b) of fixed clear or white obscure glass louvres, minimum height three feet six inches; or
 - (c) of mechanical adjustable (to open and partially close) clear or white obscure glass louvres, minimum height three feet six inches sash;
 - (d) louvres described in (b) and (c) shall be approved by the Board or building surveyor;
 - (e) of sliding windows containing clear or white obscure glass, minimum height three feet six inches sash (casement windows not permitted); or of adjustable shutters or unglazed louvres approved by the Board;
 - (f) the total length of the louvres or windows described in (b), (c), (e) shall not be less than 70 per cent. of the total length of the sleep-out or verandah measured along the side and one end, but the end exposed to weather (paragraph (g)) shall not be included in this measurement;
 - (g) subject to the approval of the Board or the building surveyor, the end of the verandah or sleep-out most exposed to the wet weather may be totally closed up in brick, concrete, jarrah or asbestos, galvanised iron or sheet metal, or other material approved by the Board, but one window, minimum size three feet by two feet, shall be provided in such enclosed end of any existing window if in close proximity or may have its lighting reduced unduly by such total enclosing.
- (3) Any sleep-out or partially enclosed verandah shall provide that any existing windows shall not be obscured by any opaque substance which will reduce the existing lighting to existing rooms.
- (4) New sleep-outs of minimum height of seven feet (not being partly enclosed verandahs) shall comply fully with this by-law and existing by-laws.
- (5) The rules of this by-law shall not apply to a sleep-out where its height from the floor to ceiling is nine feet or more, providing the floor area is 80 square feet or more and providing its total air space is not less than 720 cubic feet, but shall comply with the existing by-laws for habitable rooms.

Floors.

79. Floors, other than verandah floors, shall be fixed level, and in all buildings the ground floor, if of wood, shall have a space of not less than six inches between the ground and the underside of the floor bearers.

Permit may be Refused if Drainage is not satisfactory.

80. The Board may refuse to approve the plan of any building or any addition or alteration to any building, until it is satisfied that the proposed building, or addition, or alteration and the site and curtilage thereof, will be properly drained in accordance with any provisions of the Health Act or regulations or by-laws made thereunder which may from time to time be applicable.

Drainage of Waste Water.

81. Every person who shall erect a building shall provide proper drainage for the disposal of all waste water in accordance with any provisions of the Health Act or regulations or by-laws made thereunder which may from time to time be applicable.

Waste Pipes.

82. Waste pipes from baths, sinks, wash-troughs and similar sanitary fittings shall be of wrought iron of approved sizes. All sanitary fittings shall be provided with traps under fittings, metal cleaning eyes shall be fitted at all changes of direction and angles of waste pipes in accordance with any provisions of the Health Act or regulations or by-laws made thereunder which may from time to time be applicable.

Roof-water Disposal.

83. All buildings shall be provided with gutters and downpipes of approved sizes sufficient to carry all water from every part of the roof in an efficient manner, such water shall be carried at least two feet clear of the foundations of the buildings. In the case of large buildings, where the surveyor shall deem it necessary all stormwater from the roof of such buildings shall be carried by pipes direct to the street drains or gutters in such a manner as directed by the surveyor.

Water Supply.

84. Every dwelling house not connected to a public water supply shall be provided with a water storage tank of not less than one thousand gallons capacity, or as may be prescribed in any provisions of the Health Act or regulations or by-laws made thereunder which may from time to time be applicable. Such tank shall be completely covered at its top and provided with a manhole fitted with a tightfitting lid.

Provisions of Manhole in Ceiling.

85. Every building shall be provided with one or more manholes in the ceiling to enable access to be gained to the underside of the roof thereof.

Removal of Building.

86. If any building is removed from outside the district to within the district, or from a site within the district to another site within the district, whether on the same or another block of land, such building shall be deemed for the purpose of these by-laws to be a new building erected for the first time on the site whither it is removed.

Verandahs over Footpaths, Projections, Signs, Hoardings, and Fees.

Verandahs.

87. No person shall erect, or cause or permit to be erected, any portico or verandah over the footway of any road in the district without first obtaining the consent of the Board in writing, and such portico or verandah shall be of the shape, figure, dimensions and materials as set forth on the plan and specifications for the time being adopted by resolution of the Board, but the lowest part of the frieze or rails of such portico or verandah shall in no case be of less height than nine feet above the level of the outer edge of the footway.

Openings in Roof of Verandah.

88. No opening shall be made in the roof of such verandah for the purpose of affording light, unless such opening be properly framed and glazed with approved glass protected underneath with fine mesh wire netting or armoured glass to the satisfaction of the surveyor.

Porch, Landing, etc.

89. Every porch, gangway, outside landing, and outside step shall be of fire-resisting material unless otherwise specially approved by the Board and shall not project beyond the boundary of any road or public place.

Shop Windows.

90. Shop windows intended to be used for the display of goods or business advertisements shall consist of plate or approved glass jointed and fixed in approved metal or approved timber frames, the level of the sill of such frames to be not higher than 30 inches, nor within 12 inches of the level of the footpath immediately adjoining the same.

Signboards, Hanging Lamp, etc.

91. No signboard, hanging lamp, or other fixture shall be erected on or attached to any building or verandah projecting over the roadway unless permission in writing of the Board be first obtained. Each such signboard, hanging lamp, or other fixture shall be of material, construction and design approved by the surveyor and shall be in no part less than eight feet six inches above the level of the footpath or road. No signboard shall exceed in depth three feet nor shall any signboard project over a road or footpath except with the approval of the Board.

Unsightly or Dangerous Fence.

92. When any fence abutting on any road or public place within the district is in a dangerous or unsightly state, the Board may, by notice in writing to be served on the owner of such fence, require such owner within 14 days from the receipt of such notice to take down or repair such fence as the case may require, and such owner shall comply with such notice.

Brick Chimneys, Flues, Fireplaces and Heating Apparatus,
Foundations, Footings, etc.

93. (1) Chimneys shall be built on solid foundations and with footings similar to the footings of the wall against which they are built, unless they are carried on steel girders with direct bearings upon party, external or cross-walls, to the satisfaction of the surveyor, or on corbels of brick, stone or other incombustible material, and the work so corbelled does not project from the wall more than the thickness of the wall immediately below the corbel.

(2) Chimneys may be corbelled out not more than 14 inches from the walls nine inches in thickness on corbels of stone or incombustible materials not less than 10 inches in depth and of the full width of the jambs.

Arches.

94. An arch of brick or stone of sufficient strength shall be built over the opening of every chimney to support the breast thereof. Every camber arch shall have the abutments tied in by an iron bar, or bars, of sufficient strength turned up or down at the ends and built into the jamb for at least 4½ inches on each side.

Flues.

95. Unless it is outside the building itself, and at least nine inches therefrom, a flue shall not be adapted to or used for any new oven, furnace, steam boiler or other fire used for any purpose of trade or business, or to or for the range or cooking apparatus of any hotel, tavern or eating house, unless the flue is surrounded with brick work or other fire resistant material or to be nine inches from surrounding framework or outer flue with two inches air space between flues at least nine inches thick, or reinforced concrete six inches from the floor of the storey on which such oven, furnace steam boiler, or other fire is situate to 12 inches above the roof.

Linings, etc., of Flues.

96. The inside of every brick, concrete, or masonry flue, and also the outside where passing through any floor or roof, or space enclosed by the roof or behind or against any woodwork, shall be rendered or pargetted, or lined with fire-resisting piping or stoneware.

Incombustible Material in Certain Cases.

97. The breast of every chimney shall be of incombustible material, and the brickwork surrounding every smoke flue shall be at least $4\frac{1}{2}$ inches in thickness, provided that where a ventilating flue is carried up with a smoke flue, they may be separated by a properly constructed iron wythe of cast iron not less than one inch in thickness.

Jambs.

98. The jambs of every fireplace opening shall extend at least nine inches on each side of the opening thereof.

Backs of Fireplaces.

99. The back of every fireplace opening in party or external walls from the hearth up to a height of 12 inches above the lintel or arch shall be brickwork at least nine inches thick, or shall be reinforced concrete six inches thick, or, in the case of external walls, may be of metal if the fireplace is built so that it protrudes out of the room into the external air. No flue shall be within two inches of the centre line of any party wall.

Thickness of Flues.

100. The thickness of the upper side of every flue when its course makes with the horizon an angle of less than 45 degrees, shall be at least nine inches.

Height.

101. Every chimney flue or chimney shaft, shall be carried up in brick or stonework at least four inches thick throughout to a height of not less than three feet above the roof, flat or gutter adjoining thereto, measured at the highest point in the line of junction with such roof, flat, or gutter, unless it is a metal chimney so built that the flue is outside the house and at least nine inches therefrom.

Top Courses.

102. The highest six courses of every chimney stack or shaft shall be built in cement mortar.

Exempted Buildings.

103. This by-law shall not apply to any temporary or removable offices and sheds used by builders during the construction of any building at or about the site of such building for a period not exceeding 12 months.

Enforcement of By-laws and Penalties.

104. No building may be erected except in compliance with these by-laws. No person shall erect, build, or construct, remove or make any alteration or addition to, or cause to be erected, built or constructed, removed or made any alteration or addition to any building, contrary to the provisions of these by-laws.

Penalty for Breach.

105. Any person who shall be guilty of any breach of any of the provisions of these by-laws, or shall fail to duly comply with any notice thereunder, shall be liable for every such offence to a penalty not less than £1 and not exceeding £20.

Notice to Make Building Conform to By-laws.

106. If any building shall be wholly or partly built, or erected, or added to, or altered contrary to, or not in conformity with the provisions of these by-laws, the Board or any officer thereof may give to the owner, occupier or builder, or leave upon the site of such building notice in writing to bring such building into conformity with the said provisions or requiring the pulling down or removal of such building within the time as limited in such notice, and such owner, occupier, or builder shall comply with such notice within the time therein limited.

No Alterations Infringing By-laws.

107. No alteration shall be made in any building in such a manner that when so altered it will by reason of such alteration not be in conformity with the provisions of these by-laws relating to new buildings.

No User Infringing By-laws.

108. No person shall occupy or permit to be occupied any building for any purpose for which such building could not have been built under the provisions of these by-laws; provided that this clause shall not prevent the continued use of any building in existence at the time of coming into operation of these by-laws for any purpose for which it was then being used.

Licenses for Hoardings.

109. The Board may grant licenses in accordance with the provisions of regulation (3) of the Second Schedule to the Road Districts Act for the erection of a hoarding or fence to the satisfaction of the surveyor. Such license shall be in the Form "A" of the Third Schedule hereto.

License for Deposit of Materials on Roads, etc.

110. The Board may grant licenses in accordance with the provisions of regulation (4) of the Second Schedule to the Road Districts Act for the deposit of materials on any road or way or the making of any excavation on any land abutting on or adjoining or contiguous to any road or way. Such deposit or excavation shall be to the approval of the surveyor. The license shall be in the Form "B" in the Third Schedule hereto.

Before granting a license to deposit the materials or make an excavation the Board may require from the applicant a sum determined by the surveyor to be held as a deposit to cover the cost of carrying out repairs to the road, footpath, kerb, etc., made necessary by the deposit or excavation concerned.

First Schedule.

FORM OF APPLICATION.

I.....of.....as owner or builder, hereby make application for a permit to erect a..... on lot No.....situated in.....Street, at.....for.....owner. Frontage of the lot.....feet, depth.....feet. Building to be used for..... No of rooms..... Height of walls.....feet (first storey). Height of walls.....feet (second storey). Walls to be built of..... Linings to be..... Roof to be of..... If skillion roof, height of rear wall.....feet. Distance from side boundaries.....feet. Outbuildings to be erected as follows..... Height of walls..... to be built of..... Roof..... distance from nearest building on lot.....feet. Distance from nearest boundary on lot.....feet. Drainage: I propose to install the following drainage..... Cost of building.....

I submit a block plan, ground plan and front elevation of proposed building, drawn in ink, together with a copy to be retained by the Board, and I certify to the best of my knowledge that plans and all particulars herein set out are true and correct.

Date Received on Signed Approved Referred to Board.....

Form A.

Wyndham Road Board.

Permit to build No.

Mr. of is hereby granted permission to erect a on at a cost of £.....

Terms and conditions

Dated day of, 19.....

Secretary.

Second Schedule.

PRESCRIBED FEES.

| | £ | s. | d. |
|--|----|----|----|
| 1. For a license for a new building and additions to an existing building:— | | | |
| (a) For each square or portion of a square up to 50 squares (with a minimum fee of £1) | 6 | 0 | |
| (b) For each additional square or portion of a square up to 100 squares | 5 | 0 | |
| (c) For each additional square or portion of a square in excess of 100 squares | 4 | 0 | |
| 2. For a license for alteration to an existing building:— | | | |
| (a) For each square or portion of a square up to 100 squares (with a minimum fee of £1) | 4 | 0 | |
| (b) For each additional square or portion of a square in excess of 100 squares | 2 | 6 | |
| (c) For cutting an opening in an external, internal or party wall when no other work is undertaken at the same time | 15 | 0 | |
| 3. For examination and report on preliminary plans, 25 per cent. of the fee for a license to carry out the work described in such plans. | | | |
| 4. For a license to install a new shop front:— | | | |
| (a) If no structural alteration is required | 1 | 10 | 0 |
| (b) If new girders or columns are required, for each foot thereof (with a minimum fee of £3) | 1 | 6 | |
| 5. For a license for a verandah awning over a footway, for each lineal foot measured along the frontage of the building (with a minimum fee of £1) | 1 | 0 | |
| 6. For a license to erect a tent, or temporary living quarters, or caravan, for each week or part of a week | 5 | 0 | |
| 7. For survey and report on a dangerous structure | 3 | 0 | 0 |
| 8. (a) In the case of buildings of reinforced concrete or steel framed construction:— | | | |
| (i) 6s. per square for the first 50 squares or part thereof, with a minimum of £1. | | | |
| (ii) The fee per square shall be reduced by 2d. per square for each additional 50 squares by which the area of the building exceeds 50 squares in area, with a minimum charge of 3s. 6d. per square. | | | |

- | | £ | s. | d. |
|---|---|----|----|
| (b) In the case of buildings of brick or stone in which the floors are carried by internal pillars or columns, the fee shall be two-thirds the amount of the fee calculated under subclause (a) of this clause. | | | |
| (c) For the purposes of calculating computation fees, a square means 100 square feet measured over the outside of external walls at each floor level. | | | |
| (d) In the case of alterations to existing buildings, the fee shall be assessed over the area covered by such alterations. | | | |
| (e) For reinforced concrete or fire-resisting floors, including girders and beams | 2 | 0 | 0 |
| (f) For reinforced concrete or fire-resisting floors, without girders or beams | 1 | 0 | 0 |
9. For a license for deposit of building material on a street, sixpence for each month or part of a month, for each superficial yard of the area of the street enclosed by any hoarding or fence, as required by clause 198, and threepence for each superficial yard for each week of any renewal of such a license.
10. Fees for signs—
- For painted signs on verandah awnings, fascias—5s.
 - For roof signs—3d. per sq. ft. with a minimum of £2 per annum.
 - For illuminated box signs under verandahs—5s. per annum.
 - For all other illuminated signs—10s. per annum.
- Provided that one-half only of the above fees shall be payable for any license issued after the sixth month in any financial year.
- For bill posters—7s. 6d. per month; £4 per annum.

Removal of Buildings.

For inspection only of a building not in the district, whether removal is approved or not—minimum £2 2s. up to 10 miles. Over 10 miles, £2 2s. plus 1s. per mile for each mile over.

For inspection of a building within the district, whether removal is approved or not, £2 2s. Fees for permit additional to inspection fee.

Third Schedule.

Form A.

Wyndham Road Board.

LICENSE TO ERECT A HOARDING.

(Pursuant to Regulation 3 of the Second Schedule to the Road Districts Act and By-laws.)

No.....license is issued to.....
of.....to erect a hoarding at the land
specified hereunder for the purpose of carrying out building operations.

.....
Secretary.

Lot No.....Street.....

Form B.

Wyndham Road Board.

LICENSE TO DEPOSIT MATERIALS ON ROAD OR LICENSE TO MAKE AN EXCAVATION.

(Pursuant to Regulation 4 of the Second Schedule to the Road Districts Act and By-laws.)

No.....license is issued to..... of.....to deposit materials on the road at the land specified hereunder or to make an excavation on the said land.

Secretary.

Lot No.....Street.....

A resolution adopting the foregoing by-laws was passed by the Wyndham Road Board at the meeting held on the 8th day of August, 1960.

D. M. SHARPE, Chairman.

GEO. GAUNT, Secretary.

Recommended—

L. A. LOGAN, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 7th day of December, 1960.

R. H. DOIG, Clerk of the Council.