

New South Wales.



ANNO TERTIO

GEORGII V REGIS.

Act No. 58, 1912.

An Act to regulate the height of buildings within the Metropolitan Police District; and for purposes consequent thereon or incidental thereto. [Assented to, 10th December, 1912.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Height of Buildings Short title. (Metropolitan Police District) Act, 1912."

2. In this Act "height" in relation to a building means the Definition. measurement taken from the mean level of a footway (if any) immediately in front of the face of the building or (where there is no such footway) from the mean level of the ground before excavation to the level of the top of the parapet, or where there is no parapet, to the level of the top of the external wall or (in the case of gabled buildings) to the base of the gable: Provided that the space exclusively occupied by water tanks

Height of Buildings (Metropolitan Police District).

tanks or reservoirs constructed on an approved design upon the top of any building shall not be taken into account in determining the height of such building.

Where Act shall apply.

3. This Act shall apply within the Metropolitan Police District as defined in the Gazette No. 731 of the twelfth day of September, one thousand eight hundred and ninety-nine, of Sydney only, and shall bind the Crown.

Height of buildings.

4. (1) A building which is not exclusively used for purposes of public worship, or is not a chimney stack or sewer ventilator—

- (a) shall not under any circumstances be erected or increased to a greater height than one hundred and fifty feet;
- (b) no such building shall be erected or increased to a greater height than one hundred feet outside the City of Sydney without the approval of the Government Architect:

Provided that in the case of any building exceeding one hundred feet in height, the fire commissioners of New South Wales shall first certify to the Chief Secretary that adequate provision has been made in respect of such building for protection against fire.

(2) Provided that this section shall not apply to—

- (a) the erection or increase in height of any building as sanctioned by the city building surveyor before the fifth day of November, one thousand nine hundred and twelve, or to the rebuilding of any such building to the height as so sanctioned; or
- (b) the rebuilding to the same height as at the commencement of this Act of a building then existing and completed.

Penalties.

5. If any person erects or increases or causes to be erected or increased the height of any building in contravention of this Act, or otherwise contravenes any of the provisions hereof, he shall be liable to a penalty not exceeding fifty pounds.

The magistrate before whom any such conviction is had may further order that the defendant shall, within a time to be fixed by the order, take down and remove any part of the building, in respect of which the contravention has occurred, and if the defendant neglects to comply with such order, he shall be further liable to a penalty not exceeding fifty pounds for every day during which such neglect continues.

Penalties under this Act may be recovered before a stipendiary magistrate.

I Certify that this PUBLIC BILL, which originated in the LEGISLATIVE COUNCIL, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

Legislative Council Chamber, }
Sydney, 4th December, 1912. }

JOHN J. CALVERT,
Clerk of the Parliaments.

New South Wales.



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GEORGI V REGIS.

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(Metropolitan Police District) Act, 1912."

2. In this Act "height" in relation to a building means the Definition.
measurement taken from the mean level of a footway (if any) immediately in front of the face of the building or (where there is no such footway) from the mean level of the ground before excavation to the level of the top of the parapet, or where there is no parapet, to the level of the top of the external wall or (in the case of gabled buildings) to the base of the gable: Provided that the space exclusively occupied by water tanks

Height of Buildings (Metropolitan Police District).

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Where Act shall apply.

3. This Act shall apply within the Metropolitan Police District as defined in the Gazette No. 731 of the twelfth day of September, one thousand eight hundred and ninety-nine, of Sydney only, and shall bind the Crown.

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- (a) shall not under any circumstances be erected or increased to a greater height than one hundred and fifty feet;
- (b) no such building shall be erected or increased to a greater height than one hundred feet outside the City of Sydney without the approval of the Government Architect:

Provided that in the case of any building exceeding one hundred feet in height, the fire commissioners of New South Wales shall first certify to the Chief Secretary that adequate provision has been made in respect of such building for protection against fire.

(2) Provided that this section shall not apply to—

- (a) the erection or increase in height of any building as sanctioned by the city building surveyor before the fifth day of November, one thousand nine hundred and twelve, or to the rebuilding of any such building to the height as so sanctioned; or
- (b) the rebuilding to the same height as at the commencement of this Act of a building then existing and completed.

Penalties.

5. If any person erects or increases or causes to be erected or increased the height of any building in contravention of this Act, or otherwise contravenes any of the provisions hereof, he shall be liable to a penalty not exceeding fifty pounds.

The magistrate before whom any such conviction is had may further order that the defendant shall, within a time to be fixed by the order, take down and remove any part of the building, in respect of which the contravention has occurred, and if the defendant neglects to comply with such order, he shall be further liable to a penalty not exceeding fifty pounds for every day during which such neglect continues.

Penalties under this Act may be recovered before a stipendiary magistrate.

In the name and on behalf of His Majesty I assent to this Act.

State Government House,
Sydney, 10th December, 1912.

CHELMSFORD,
Governor.

HEIGHT OF BUILDINGS (METROPOLITAN POLICE DISTRICT) BILL.

SCHEDULE of the Amendments referred to in Message of 28 November, 1912.

Page 2, clause 4, line 12. *After* "erected" *insert* "of or increased to a greater height
"than one hundred feet"

Page 2, clause 4, lines 13 and 14. *Omit* "within the City of Sydney without the
"approval of the city building surveyor"

RIGHT OF BUILDING (MUNICIPALITY OF) DISTRICT OF

SECTION 1. The Board of Building Commissioners of the District of Columbia shall have the honor to certify that the following is a true and correct copy of the original as the same appears on the files of the Board of Building Commissioners of the District of Columbia.

Witness my hand and the seal of the Board of Building Commissioners of the District of Columbia at Washington, D.C., this _____ day of _____, 19____.

This PUBLIC BILL originated in the LEGISLATIVE COUNCIL, and, having this day passed, is now ready for presentation to the LEGISLATIVE ASSEMBLY for its concurrence.

*Legislative Council Chamber,
Sydney, 6th November, 1912.* }

JOHN J. CALVERT,
Clerk of the Parliaments.

The LEGISLATIVE ASSEMBLY has this day agreed to this Bill with Amendments.

*Legislative Assembly Chamber,
Sydney, 28 November, 1912.* }

RICHD. A. ARNOLD,
Clerk of the Legislative Assembly.

New South Wales.



ANNO TERTIO

GEORGII V REGIS.

Act No. , 1912.

An Act to regulate the height of buildings within the Metropolitan Police District; and for purposes consequent thereon or incidental thereto.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

5 **1.** This Act may be cited as the "Height of Buildings Short title.
(Metropolitan Police District) Act, 1912."

2. In this Act "height" in relation to a building means the Definition.
measurement taken from the mean level of a footway (if any) imme-
diately in front of the face of the building or (where there is no such
10 footway) from the mean level of the ground before excavation to the level
of the top of the parapet, or where there is no parapet, to the level of the
top of the external wall or (in the case of gabled buildings) to the base
of the gable: Provided that the space exclusively occupied by water
40879 c 85— tanks

NOTE.—The words to be omitted are ruled through; those to be inserted are printed in black letter.

Height of Buildings (Metropolitan Police District).

tanks or reservoirs constructed on an approved design upon the top of any building shall not be taken into account in determining the height of such building.

3. This Act shall apply within the Metropolitan Police ^{Where Act shall} District as defined in the Gazette No. 731 of the twelfth day of ^{apply.} September, one thousand eight hundred and ninety-nine, of Sydney only, and shall bind the Crown.

4. (1) A building which is not exclusively used for purposes ^{Height of buildings.} of public worship, or is not a chimney stack or sewer ventilator—

- 10 (a) shall not under any circumstances be erected of or increased to a greater height than one hundred and fifty feet;
- (b) no such building shall be erected **of or increased to a greater height than one hundred feet** ~~within the City of Sydney without the approval of the city building surveyor or outside the City of Sydney without the approval of the Government Architect :~~
- 15

Provided that in the case of any building exceeding one hundred feet in height, the fire commissioners of New South Wales shall first certify to the Chief Secretary that adequate provision has been made in respect of such building for protection against fire.

20

(2) Provided that this section shall not apply to—

- (a) the erection or increase in height of any building as sanctioned by the city building surveyor before the fifth day of November, one thousand nine hundred and twelve, or to the rebuilding of any such building to the height as so sanctioned; or
- 25
- (b) the rebuilding to the same height as at the commencement of this Act of a building then existing and completed.
- 30

5. If any person erects or increases or causes to be erected or ^{Penalties.} increased the height of any building in contravention of this Act, or otherwise contravenes any of the provisions hereof, he shall be liable to a penalty not exceeding fifty pounds.

The magistrate before whom any such conviction is had may further order that the defendant shall, within a time to be fixed by the order, take down and remove any part of the building, in respect of which the contravention has occurred, and if the defendant neglects to comply with such order, he shall be further liable to a penalty not exceeding fifty pounds for every day during which such neglect

35

40 continues.

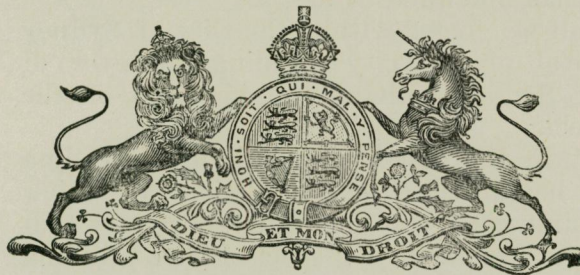
Penalties under this Act may be recovered before a stipendiary magistrate.

This PUBLIC BILL originated in the LEGISLATIVE COUNCIL, and, having this day passed, is now ready for presentation to the LEGISLATIVE ASSEMBLY for its concurrence.

*Legislative Council Chamber,
Sydney, 6th November, 1912.* }

JOHN J. CALVERT,
Clerk of the Parliaments.

New South Wales.



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15 of any building shall not be taken into account in determining the height of such building.

Height of Buildings (Metropolitan Police District).

3. This Act shall apply within the Metropolitan Police District as defined in the Gazette No. 731 of the twelfth day of September, one thousand eight hundred and ninety-nine, of Sydney only, and shall bind the Crown. Where Act shall apply.

4. (1) A building which is not exclusively used for purposes of public worship, or is not a chimney stack or sewer ventilator— Height of buildings.

(a) shall not under any circumstances be erected or increased to a greater height than one hundred and fifty feet;

(b) no such building shall be erected within the City of Sydney without the approval of the city building surveyor or outside the City of Sydney without the approval of the Government Architect:

Provided that in the case of any building exceeding one hundred feet in height, the fire commissioners of New South Wales shall first certify to the Chief Secretary that adequate provision has been made in respect of such building for protection against fire.

(2) Provided that this section shall not apply to—

(a) the erection or increase in height of any building as sanctioned by the city building surveyor before the fifth day of November, one thousand nine hundred and twelve, or to the rebuilding of any such building to the height as so sanctioned; or

(b) the rebuilding to the same height as at the commencement of this Act of a building then existing and completed.

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The magistrate before whom any such conviction is had may further order that the defendant shall, within a time to be fixed by the order, take down and remove any part of the building, in respect of which the contravention has occurred, and if the defendant neglects to comply with such order, he shall be further liable to a penalty not exceeding fifty pounds for every day during which such neglect continues.

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*Legislative Council Chamber,
Sydney, 6th November, 1912.* }

JOHN J. CALVERT,
Clerk of the Parliaments.

The LEGISLATIVE ASSEMBLY has this day agreed to this Bill with Amendments.

*Legislative Assembly Chamber,
Sydney, 28 November, 1912.* }

RICHD. A. ARNOLD,
Clerk of the Legislative Assembly.

New South Wales.



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Height of Buildings (Metropolitan Police District).

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*Legislative Council Chamber,
Sydney, November, 1912. }*

Clerk of the Parliaments.

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5 **1.** This Act may be cited as the "Height of Buildings Short title.
(Metropolitan Police District) Act, 1912."

10 **2.** In this Act "height" in relation to a building means the Definition.
measurement taken from the mean level of a footway (if any) immediately in front of the face of the building or (where there is no such
15 footway) from the mean level of the ground before excavation to the level of the top of the parapet, or where there is no parapet, to the level of the top of the external wall or (in the case of gabled buildings) to the base of the gable: Provided that the space exclusively occupied by water tanks or reservoirs constructed on an approved design upon the top
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Height of Buildings (Metropolitan Police District).

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Provided that in the case of any building exceeding one hundred feet in height, the fire commissioners of New South Wales shall first certify to the Chief Secretary that adequate provision has been made in respect of such building for protection against fire.

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- (a) the erection or increase in height of any building as sanctioned by the city building surveyor before the fifth day of November, one thousand nine hundred and twelve, or to the rebuilding of any such building to the height as so sanctioned; or
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Penalties under this Act may be recovered before a stipendiary magistrate.

Legislative Council.

No. , 1912.

A BILL

To regulate the height of buildings within the City of Sydney; and for purposes consequent thereon or incidental thereto.

[MR. FLOWERS;—31 October, 1912.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

5 **1.** This Act may be cited as the "Sydney (Height of Buildings) Short title.
Act, 1912."

10 **2.** In this Act "height" in relation to a building means the Definition.
measurement taken from the level of a footway (if any) immediately
in front of the face of the building or (where there is no such footway)
from the level of the ground before excavation to the level of the top
of the parapet, or where there is no parapet, to the level of the top of
the external wall or (in the case of gabled buildings) to the base of
the gable.

Where Act shall
apply.

3. This Act shall apply within the city of Sydney only, and shall bind the Crown.

Height of buildings.

4. (1) A building which is not exclusively used for purposes of public worship, and is not a chimney stack or sewer ventilator—

(a) shall not under any circumstances be erected of or increased to a greater height than one hundred and fifty feet; 5

(b) shall not be erected of or increased to a greater height than one hundred feet unless with the approval of the Colonial Secretary given after the receipt by him of a report on such proposed building by the fire commissioners of New South Wales and the Government Architect. 10

(2) Provided that this section shall not apply to—

(a) the erection or increase in height of any building as sanctioned by the city building surveyor before the commencement of this Act, or to the rebuilding of any such building; or 15

(b) the rebuilding to the same height as at such commencement of a building then existing and completed.

Penalties.

5. If any person erects or increases the height of any building in contravention of this Act, or causes any such things to be done, he shall be liable to a penalty not exceeding *fifty* pounds. 20

The magistrate before whom any such conviction is had may further order that the defendant shall, within a time to be fixed by the order, take down and remove any part of the building, in respect of which the contravention has occurred, and if the defendant neglects to comply with such order, he shall be further liable to a penalty not exceeding *fifty* pounds for every day during which such neglect continues. 25

Penalties under this Act may be recovered before a stipendiary magistrate.