

1990 - No. 465

LOCAL GOVERNMENT ACT 1919 - ORDINANCE

(Relating to boarding-houses, places of public entertainment
and certain other matters)

NEW SOUTH WALES



[Published in Gazette No. 82 of 29 June 1990]

HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Local Government Act 1919, has been pleased to make the Ordinance set forth hereunder.

JOE SCHIPP
Acting Minister for Local Government.

Commencement

1. This Ordinance commences on 1 September, 1990.

Amendment of Ordinance No. 70

2. Ordinance No. 70 under the Local Government Act 1919 is amended:

(a) by omitting from clause 1.2 the matter relating to Part 26 and by inserting instead the following matter;

PART 26 - Places of Public Entertainment

(b) by inserting at the end of clause 1.2 the following matter.

PART 62 - Approvals and Licences etc.

PART 63 - Management and Use of Premises etc.

(c) by inserting in clause 1.3 (1), in alphabetical order, the following definitions:

"aisle" means a walkway at the end of rows of seating, not being continental seating, leading to a cross-over or to an egress doorway;

"auditorium" means such part of a place of public entertainment as is designed to accommodate the audience to an entertainment or public meeting that is being conducted in the place of public entertainment;

"basement" means a storey in a building which is partly or wholly underground and from which any required exit involves a total internal vertical rise of 1 500mm or more to the finished ground level;

"continental seating" means rows of seating in which the rows extend the full width of an auditorium without intervening aisles;

"cross-over", in relation to a place of public entertainment or temporary structure, means a walkway between aisles or between an aisle and an egress doorway;

"dormitory" means a bedroom designed to accommodate more than 2 persons;

"film" has the same meaning as it has in the Film and Video Tape Classification Act 1984;

"flying scenery" means scenery of a kind that is designed to be, or capable of being, lifted above the stage floor by means of lines run from a grid;

"grid" means a framework from which lines are run for the purpose of lifting flying scenery above the stage floor;

"place of public entertainment" has the same meaning as it has in Division 4BA of Part 11 of the Act;

"projection suite" means such part of a place of public entertainment as is designed to accommodate apparatus used for projecting films exhibited in the place of public entertainment;

"row" means a row of seating:

- (a) between a wall or other barrier and an aisle; or
- (b) between two aisles;

"stage" means such part of a place of public entertainment as is designed to be used by performers or speakers in an entertainment or public meeting that is being conducted in the place of public entertainment;

"temporary structure" has the same meaning as it has in Division 4BA of Part 11 of the Act;

- (d) by omitting from clause 6.1 (1) (i) the words "as defined in clause 1.3" wherever occurring
- (e) by inserting in clause 6.1 (1) (i) (ii) after the word "schools" the words ", places of public entertainment";
- (f) by inserting after clause 16.19 (13) the following subclauses:

Curtains and blinds (14) In any auditorium or foyer of a place of public entertainment, any curtain or blind:

- (a) must have a flammability index number not greater than 6 or (if it forms a division or constitutes wall, floor or ceiling decor) must comply with the provisions of subclause (1) (b) for materials used in the building and
- (b) must have a label affixed to its lower extremity indicating, in legible characters:
 - (i) the name of its manufacturer, and
 - (ii) the trade name and description of the fabric or material from which it is made; and
 - (iii) the trade name of the fire-retardant (if any) with which it has been treated; and
 - (iv) the appropriate method for cleaning it; and
 - (v) its flammability index and (where appropriate) its spread-of-flame index and smoke-developed index.

Upholstery (15) The fabric used to cover closed-hack upholstered chairs in a part of a place of public entertainment where:

- (a) smoking by the public is permitted; or
- (b) flame is exposed in connection with the preparation of meals,

must comply with the provisions of subclause (1) (b) for materials used in the building.

Film screens (16) A cinematograph screen in a place of public entertainment:

- (a) must have:
 - (i) a flammability index not greater than 12; and
 - (ii) a spread-of-flame index not greater than 0; and
 - (iii) a smoke-developed index not greater than 7; and
- (b) must have a label affixed to its lower extremity indicating, in legible characters:
 - (i) the name of its manufacturer; and
 - (ii) the trade name and description of the material from which it is made; and
 - (iii) its flammability, spread-of-flame and smoke-developed indexes; and
 - (iv) its test certificate number; and
 - (v) the appropriate method for cleaning it; and
- (c) must have a supporting frame of metal construction.

(g) by inserting after clause 21.3 (d) the following word and paragraph:

; and

- (e) be fitted with automatic self-closing devices.

(h) by inserting in clause 23.2 (1) after the words "in clause 23.4" the words "or required by clause 26.3 (1)";

(i) by inserting after clause 24.20 (3) the following subclause:

Exemption (3A) Subclause (3) does not apply to places of public entertainment.

(j) by omitting from clause 24.21 (1) the words ", except as in subclause (2),";

(k) by inserting after clause 24.21 (2) the following subclause:

Exemption (3) A doorway in a place of public entertainment (being a doorway opening to a road, open space or external balcony) need not comply with subclause (1) if the door sill is not more than 50mm above the finished surface of the road, open space or balcony to which the doorway opens.

(l) by inserting after clause 24.25 (5) the following subclauses:

Only 1 helical stairway as required exit (6) Not more than one helical stairway may serve as a required exit in a place of public entertainment.

Design of helical stairways (7) A helical stairway in a place of public entertainment:

(a) must have a width of not less than 1 530mm; and

(b) must be of constant radius; and

(c) must be constructed so that each tread, when measured 500mm in from its narrow end, has a width of at least 280mm as illustrated in Figure 24.25.

Limitations on length of certain stairways (8) A stairway in a place of public entertainment must not continue without:

(a) a change of direction of 30 degrees or more; or

(b) a landing having a depth of 1 500mm or more, for more than 36 risers.

(m) by omitting clause 24.26 (1) and by inserting instead the following subclause:

Width of ramp (1) The width of a ramp:

(a) that serves as a required exit; or

(b) that is situated in a place of public entertainment,

must (when measured clear of all obstructions, such as handrails, projecting parts of balustrades and the like) extend without interruption, except for ceiling cornices, to a height of at least 2000mm above the floor surface of the ramp.

- (n) by omitting from clause 24.26 (2) the words "a ramp serving as a required exit" and by inserting instead the words "such a ramp";
- (o) by inserting after clause 24.27 (5) the following subclause:

Exemption (6) This clause does not apply to places of public entertainment.

- (p) by inserting after clause 24.27 the following clause:

Handrails and balustrades in places of public entertainment

24.27.1. (1) This clause applies to places of public entertainment.

Application

Handrail or balustrades to be provided

(2) A handrail or balustrade must be provided along each side (other than a side that is bounded by a wall) of any corridor, hallway, external access balcony, bridge, or the like, that leads to an exit that is 865mm or more above floor level.

Unguarded ramps

(3) Where a ramp has an unguarded side, that side must be guarded by a handrail or balustrade to a height of 865mm or more above the ramp.

Stairways generally

(4) A stairway:

- (a) must have a wall or rigid balustrade on each side; and
- (b) must be equipped on each side, in accordance with Table 24.27.1, with rigid handrails:
 - (i) that are continuous, except where access to a doorway or opening off a landing is provided; and
 - (ii) that are fixed at a vertical height of 865mm or more above the nosings of the stair treads and the floor level of the landings.

Stairways under 1500 mm	(5) A stairway having a height of not more than 1 500mm above ground or floor level may have a handrail instead of a wall or rigid balustrade referred to in subclause (4) (a).
Balustrades along stairway	<p>(6) A balustrade provided along a stairway:</p> <ul style="list-style-type: none"> (a) must have a height of 1 000mm or more above the nosings of the stair treads; and (b) must not have openings of more than 125mm in width.

TABLE 24.27.1

Width of stairway	No. of handrails
Less than 1 500mm	1
Between 1 500mm and 2 500 mm	1 on each side
More than 2 500mm	1 on each side and intermediate handrails at intervals of not more than 2 000mm

(q) by omitting Table 24.28 and by inserting instead the following Table:

TABLE 24.28

AREAS PER PERSON ACCORDING TO USE

Type of use	Square metres per person
Assembly room:	
(a) for civic, political, transit, religious, social or recreational purposes	1.2
(b) for entertainment or amusement purposes	1.2
Bar	1
Boiler	30
Board room	2

Boarding-house	15	
Cafe	1	
Cafeteria	1	
Computer room	25	
Dining room	1	
Factory		
(a) a machine shop, fitting shop, or like place used for the cutting, grading, finishing or fitting of metals or glass, except in the fabrication of structural steelwork or the manufacture of vehicles or bulky products	5	
(b) an area used for fabrication and processing otherwise than as referred to in paragraph (a)	50	
(c) a space in which the layout and natural use of fixed plant or equipment determine the number of persons who will occupy the space during working hours		The area per person determined by the natural use of the fixed plant or equipment, as approved by the council.
Garage (public)	30	
Guest house	15	
Hostel	15	
Kiosk	1	
Kitchen	10	
Laboratory	10	
Laundry	10	
Library		
(a) reading space	2	
(b) storage space	30	
Office, including one for typewriting of document copying	10	
Place of public entertainment;		
(a) area other than auditorium	1.2	
(b) auditorium in which there is no fixed seating		
(c) auditorium in which there is fixed seating only	0.5	
		The area calculated by dividing the floor area of the auditorium by the

seating capacity of the auditorium determined in accordance with Division 3 of Part 26.

(d) auditorium in which there are stepped platforms without chairs or stepped platforms with bench seats ...

The area calculated by dividing the floor area of the auditorium by the seating capacity of the auditorium determined in accordance with Division 3 of Part 26.

Plant room

(a) for ventilation electrical or other service units	30
(b) for boilers or power plant	50
Reading room	2
Restaurant	1

Shopspace:

(a) for sale of goods at a level entered directly from the open air or any lower level	2.5
(b) for sale of goods at all other levels	5.5
Showroom (display area)	5
Staff room	10
Storage space	30
Switch room	30
Telephone exchange (private)	30
Transformer room	30

Workshop:

(a) for maintenance staff	30
(b) for manufacturing processes	As for "Factory"

(r) by omitting clause 24.29 (3) and by inserting instead the following subclause:

Additional locations for exit signs

(3) Exit signs:

(a) must also be installed:

- (i) in corridors, hallways, lobbies and the like, indicating the direction of a required exit; and
- (ii) on or near each door serving as, or forming part of, a required exit,

if the council is of the opinion that the location of the exit will not otherwise be readily apparent to persons occupying or visiting the building, and

(b) must also be installed (in the case of an exit that does not open directly onto a street or open space) along any external exit paths leading from a place of public entertainment to a street or open space, and must clearly indicate the direction of egress to that street or open space.

(s) by inserting after clause 24.29 (8) the following subclause:

Exit signs to be protected (9) If an exit sign in a place of public entertainment is situated in a position in which it is likely to be exposed to physical damage, the exit sign must be adequately protected against such damage.

(t) by omitting clause 24.52 (1) and by inserting instead the following subclause:

Application (1) This clause applies to Class IXb buildings other than:

(a) schools; and
(b) places of public entertainment

(u) by inserting after clause 24.52 the following clause:

Class IXb places of public entertainment Application 24.53. (1) This clause applies to places of public entertainment

(2) An auditorium must be provided with at least 2 egress doorways.

(3) At least 2 exits must be provided from each storey.

(4) No point on a floor may be more than 18m:

(a) from the nearest exit; or
(b) from a point from which travel in different directions to 2 or more exits is available,

and, if paragraph (b) applies, the maximum distance to the nearest exit must be not more than 40m.

Distance between exits	(5) The distance between any 2 adjacent exits must not be more than 60m and must not be less than 6m.
Measurement of distances	(6) The distances referred to in subclauses (4) and (5) are to be measured in accordance with clause 24.45 (2) (a)-(f) as if the references in those paragraphs to the nearest part of a required exit were references to the nearest part of an exit within the meaning of clause 24.34 (1).
Exits must not all discharge through main entrance	(7) At least half of the required number of all exits from each floor or tier, and at least half of the aggregate width of such exits, must discharge otherwise than through the main entrance, or the area immediately adjacent to the main entrance, of the building.
Fire-isolation of stairways	(8) A stairway serving as a required exit: (a) need not be fire-isolated if: (i) it connects not more than 2 storeys of the building and (ii) it complies with clause 24.13; and (b) must be fire-isolated in any other case.
Distribution of required exits	(9) Required exits must, as far as practicable, be evenly distributed around the building.
Paths of travel	(10) Each required exit, each path of travel to a required exit, each doorway leading to or forming part of a required exit, or path of travel to an exit, and each required stairway: (a) must have a minimum unobstructed vertical clearance throughout of 2 000mm and (subject to subclause (12)) a minimum width throughout of 1 000mm; and (b) must not diminish in width in the direction of travel to a road or open space.
Merging exits	(11) Where one or more exits combine or meet, the width of the remaining path of travel must be not less than the sum of the widths of those exits.
Width of exits	(12) Where, pursuant to clause 24.28, a storey is deemed to accommodate more than 200 persons:

- (a) the aggregate width of all exits must be at least 2000mm, plus 250mm for every 25 persons (or part thereof) in excess of 200; and
- (b) the width of any particular exit must not (subject to subclause (10) (a)) be more than 3000mm wide, except where otherwise approved.

Design of doors

- (13) All doors fitted to egress doorways:
 - (a) must be hung in 2 folds, fitted only with "panic" bolts where required to be secured; and
 - (b) must be made to open outwards, except where otherwise approved.

Location of doors

- (14) A door must not open immediately onto a flight of stairs, but a landing must be provided between the doorway and the stairs.

Installation etc of doors

- (15) A door or gate (not being an exit door or gate used by the public as an entrance) which opens onto an aisle, passageway, stairway, landing, corridor or court:
 - (a) must be so hung as to close in the direction of egress into that aisle, passageway, stairway, landing, corridor or court; and
 - (b) must be fitted with an automatic self-closing device; and
 - (c) must be so installed as not to interfere with any exit door.

Locks to be approved

- (16) An exit door or gate used by the public as a main entrance (being a door or gate leading directly to a road or open space) may be fitted with an approved keyoperated fastening.

Design of locks

- (17) A keyoperated fastening must be of such a design as to enable the door or gate to yield to pressure from within whenever the building is occupied by the public.

Prohibition of certain gates, shutters etc.

- (18) No collapsible gate, roller shutter, revolving door, sliding door, accordion door, turnstile or rigid barrier may be provided in or across an exit.

Stair treads to be conspicuous

- (19) The edges of the treads of steps must be made conspicuous.

Doorways not for public use	(20) A doorway or opening within sight of, the audience, but not intended for egress, must have a notice displayed clearly indicating its purpose.
Illumination of notices	(21) Such a notice must not be internally illuminated.
(v) by inserting after Part 25 the following Part:	

PART 26 - PLACES OF PUBLIC ENTERTAINMENT

Division 1 - Preliminary

<i>Division of Part</i>	26.1. This Part contains the following Divisions: Division 1 - Preliminary Division 2 - Stages and fire separation Division 3 - Seating Division 4 - Ancillary provisions Division 5 - Provisions for certain rooms Division 6 - Drive-in theatres
-----------------------------	--

<i>Application</i>	26.2 This Part applies to places of public entertainment within the meaning of Division 4BA of Part 11 of the Act
--------------------	---

Division 2 - Stages and fire separation

<i>Fire-separation Portions to be fire-separated</i>	26.3. (1) If a place of public entertainment forms part only of a building, then:
--	---

- (a) the whole of the place of public entertainment; or
- (b) the portion containing the stage, backstage area and auditorium,

must be separated from the other parts of the building by construction having a fire-resistance rating of at least 1 hour.

<i>Sprinkler systems for common foyers</i>	(2) If any foyer in a place of public entertainment: (a) serves more than 2 auditoriums; and (b) is not separated from any other foyer by construction having a fire-resistance rating of at least 1 hour,
--	--

an approved sprinkler system, complying with the requirements of AS 2118, must be installed throughout the storey containing the foyer referred to in paragraph (a) and throughout each storey in the building below that storey.

Rooms to be considered as part of stage

(3) If a room or area within or adjoining a stage is not separated from the remainder of the stage by approved fire-resisting construction, the room or area is, for the purposes of this Division, to be taken to form part of the stage.

Conventional stages Application

26.4. (1) This clause applies to a conventional stage (that is, a stage that is separated from the auditorium by a proscenium wall incorporating a proscenium opening).

Small stages

(2) A stage which is more than 50 square metres, but not more than 150 square metres, in area:

- (a) must have installed, directly above the stage:
 - (i) a roof-mounted smoke and heat vent that complies with clause 26.12; or
 - (ii) an air handling system that complies with AS 1668; and
- (b) must have 2 or more means of egress from the stage and backstage area provided otherwise than through a proscenium wall.

Large stages

(3) A stage which is more than 150 square metres in area:

- (a) must have installed, directly above the stage:
 - (i) an air handling system that complies with AS 1668; and
 - (ii) an approved automatic sprinkler system that complies with AS 2118; and
- (b) must have a line of open drenchers or open sprinklers provided above the proscenium opening on the stage side and in such a position as to be able to discharge over the inside face of the safety curtain; and
- (c) must have any opening in the proscenium wall protected by a safety curtain that complies with clause 26.6 (1); and

Fire-separation of certain stages

Where there are grids or other means of flying scenery

- (d) must have 2 or more means of egress from the stage and backstage area provided otherwise than through a proscenium wall.
- (4) A stage which is more than 50 square metres in area, and all areas below such a stage, must (with the exception of the proscenium opening) be separated from the backstage and the remainder of the building by construction having a fire-resistance rating of at least 1 hour.
- (5) Subject to subclauses (2) and (3), if there is a grid or other means of flying scenery over the stage:
 - (a) the stage must be provided with an automatic sprinkler system that complies with AS 2118; and
 - (b) the proscenium wall:
 - (i) must have a fire-resistance rating of at least 2 hours; and
 - (ii) must have its opening protected by a rigid safety curtain in accordance with clause 26.6 (2); and
 - (c) the walls forming the stage area, and the area beneath the stage, must be constructed of:
 - (i) masonry or concrete; or
 - (ii) other material having resistance to damage similar to that of masonry or concrete and having a fire resistance rating of at least 2 hours; and
 - (d) structural steel supporting the stage tower must be enclosed by:
 - (i) masonry or concrete; or
 - (ii) other material having resistance to damage similar to that of masonry or concrete and having a fire resistance rating of at least 2 hours or (in respect of any structural steel situated above the grid) other approved material having a fire resistance rating of at least 2 hours; and

- (e) a fly gallery, bridge, grid, rigging loft, tie gallery or electric light perch:
 - (i) must comply with AS 1657; and
 - (ii) must be of non-combustible construction; and
- (f) a fly gallery must be provided with at least 2 means of escape, one on each side of the stage; and
- (g) a grid or rigging loft must be provided with at least 2 means of escape; and
- (h) if exposed steel is used in the construction of a roof, fly or tie gallery, the roof, fly or tie gallery must be so designed that, in the event of its structural failure due to fire, the wall structure of the building will not be affected.

Notice of maximum loads for stages

- (6) A notice indicating the actual distributed and concentrated load for which the stage floor has been designed must be conspicuously and permanently displayed in a position adjacent to the stage floor.

Notices to be legible

- (7) The notice referred to in subclause (6) must be in legible letters and figures:
 - (a) at least 50mm high; and
 - (b) on a contrasting background.

Machinery to be guarded

- (8) Machinery and associated equipment having moving parts in the stage area must be equipped with suitable guards if the council so requires.

Other stages Application

- 26.5. (1) This clause applies to a stage that is not a conventional stage within the meaning of clause 26.4.

Small stages

- (2) A stage which is more than 50 square metres, but not more than 150 square metres, in area:
 - (a) must comply with clause 26.4 (2); and
 - (b) must have at least 2 means of egress from the backstage area.

Large stages

- (3) A stage which is more than 150 square metres in area:

- (a) must comply with clause 26.4 (3) (a) and (b); and
- (b) must have at least 2 means of egress from the backstage area.

All stages (4) All stages to which this clause applies must comply with clause 26.4 (5), (6), (7) and (8).

Safety curtains Requirements for certain curtains

- 26.6. (1) A safety curtain required by clause 26.4 (3) (c):
 - (a) must be made of non-combustible material; and
 - (b) must be so fitted that, when it is closed, it forms an efficient smoke seal between the stage and the auditorium; and
 - (c) must be capable of withstanding a pressure differential of 0.5kPa over its entire surface area; and
 - (d) must be run on steel guides located on each side of the proscenium opening; and
 - (e) must remain engaged in its guides if the guides, together with their fittings and attachments and that part of the curtain engaged in the guides, are subjected to a pressure double that referred to in paragraph (c); and
 - (f) must be of sufficiently robust construction to withstand damage by scenery, stage properties and falling debris; and
 - (g) must be capable of closing the proscenium opening within 35 seconds, either by gravity slide or by motor assisted mechanisms; and
 - (h) must have manual controls, located on each side of the stage, for the lowering of the curtains; and
 - (i) must have a notice displayed adjacent to the operating controls, in clear and legible letters and symbols of adequate size, indicating its use and operation; and

Additional requirements for certain other curtains

- (j) must, when operated, actuate a distinctive warning alarm audible to persons on the stage and must not be reliant for its operation solely on the primary electricity supply, and
- (k) must have the words "Safety Curtain" exhibited on the curtain in clear and legible letters of adequate size to enable them to be read from all parts of the auditorium.

(2) A safety curtain required by clause 26.4 (5) (b)

- (ii) must comply with the requirements of subclause (1) and with the following requirements:
- (a) it must be vertically hung from steel cables;
- (b) it must be framed with structural steel that complies with AS 1250;
- (c) it must be sheeted and finished on both faces with sheet steel or other non-combustible material of such gauge, and so fastened to its frame as to ensure that its frame is capable of withstanding distortion;
- (d) it must, when closed, overlap the proscenium opening by not less than 300mm at each side and by not less than 600m at the top.

Electric motors to be guarded

26.7. An electric motor, together with any associated equipment having moving parts, that is used for the operation of curtains and masking in the stage area must be constructed, or fitted with guards, so as to prevent the curtains and masking from coming into contact with it

Conventional seating Application

Seating in rows

26.8. (1) This clause applies to conventional seating (that is, seating other than continental seating).

(2) Subject to subclause (4), where seating is arranged in rows, the maximum number of seats in each row must not exceed:

- (a) 8, where there is an aisle at one end only of the row, or
- (b) 16, where there are aisles at both ends of the row.

Chairs used for seating	(3) Chairs used for seating: (a) must, where they have arms, be at least 500mm from centre to centre; and (b) must, where they do not have arms, be at least 450mm from centre to centre; and (c) must have a minimum lateral clearance of at least 300mm between: (i) the front of each chair and the back of the chair in front; or (ii) if a handrail is provided in front of the chairs, between the front of each chair and the handrail; and (d) must have a distance of at least 950mm between the back of each chair and the back of the chair in front.
Chairs in auditoriums with level floors	(4) Chairs in an auditorium that has a level floor. (a) must be securely fastened to the floor, or (b) must be secured together in groups of not less than 4 and not more than 16.
Chairs in auditoriums with sloping floors	(5) Chairs in an auditorium having a sloping floor, or having stepped or inclined platforms, must be securely fastened to the floor or platform.
Concentric seating	(6) Where seating is securely fastened to the floor and arranged in rows of concentric circles, semi-circles or segments of circles, with radiating aisles: (a) the number of seats in each row between 2 aisles must not exceed 24; and (b) each seat: (i) must have a minimum lateral clearance of at least 325mm between the front of the seat and the back of the seat in front; and (ii) must have a distance of at least 975mm between the back of the seat and the back of the seat in front; and (c) the rows may be curved or straight.

Aisles and cross-overs (7) Where aisles and cross-over are provided:

- (a) each aisle must have a width of at least 1 000mm and each cross-over must have a width of at least 1 500mm; and
- (b) the floor of each aisle must not have a grade of more than 1 in 8 at any part; and
- (c) if there is a step from a row to an aisle or from a landing to an aisle, the step must not project into the aisle.

Platforms and steps (8) Where an aisle or a clear area contains platforms or steps:

- (a) the platforms and steps must extend for the full width of the aisle; and
- (b) if there are no intervening steps between levels of platforms, the height of the platform riser must not be more than 200mm; and
- (c) if there are one or more intervening steps between levels of platforms:
 - (i) each riser must be at least 100mm, but not more than 195mm, high; and
 - (ii) each going must be at least 240mm deep; and
 - (iii) risers and goings must be uniform; and
- (d) goings which are more than 430mm deep at platform level must not have a grade of more than 1 in 50; and
- (e) at the entrance from the aisle to each row there must be a clear level floor space, extending the full width of the aisle, of at least 300mm, measured from the back of the row in front; and
- (f) any going projecting in front of a seat adjacent to an aisle must be protected by a handrail.

Stepped platforms (9) Where stepped platforms without chairs, or stepped platforms with bench seats, are used for seating.

- (a) each platform must be at least 710mm deep; and
- (b) each seating space must be at least 450mm wide, measured along the front of the platform or bench seat; and
- (c) each seating space must be numbered consecutively, and
- (d) at the entrance from the aisle to each row there must be a clear level floor space, extending the full width of the aisle, of at least 300mm, measured from the back of the row in front; and
- (e) any going projecting in front of a seat adjacent to an aisle must be protected by a handrail and
- (f) in the case of stepped platforms with bench seats, there must be at least 300mm between the back of each seat and the front of the platform behind, or the front of the bench seat behind, whichever is the closer.

Definition

(10) In this clause, a reference to a minimum lateral clearance of a specified measurement is a reference to an unobstructed space having a height above floor level of not less than 2000mm and a width of not less than the specified measurement.

Continental seating
Application

Seating to
be fastened
120 seats
per row
maximum

Depth of
rows

26.9. (1) This clause applies to continental seating

(2) Seating must be securely fastened to the floor.

(3) The number of seats in a row must not exceed 120.

(4) The depth of each row of seating (that is, the distance between the back of the row and the back of the row in front or, if there is a handrail in front, between the back of the row and the handrail) must, in respect of a row containing a number of seats specified in Column 1 of Table 26.9, be not less than the distance specified in Column 2 of that Table in respect of that number of seats.

Clearance between rows (5) The minimum lateral clearance between each row of seating must, in respect of a row containing a number of seats specified in Column 1 of Table 26.9, be not less than the clearance specified in Column 3 of that Table in respect of that number of seats.

Chairs used for seating (6) Chairs used for seating must comply with clause 26.8 (3) (a) and (b).

Exits (7) Egress doorways through the walls of the auditorium:

- (a) must have an aggregate width of at least twice the sum of the clearances specified in Column 3 of Table 26.9 for each row of the auditorium to be served by those doorways; and
- (b) must be provided at each end of every fifth row, excluding the first 2 rows and the last 2 rows in the auditorium if those rows each contain no more than 16 seats; and
- (c) must lead:
 - (i) directly to a road or open space; or
 - (ii) into a foyer or other area giving access to a road or open space; and
- (d) must be provided with exit signs if, in the opinion of the council, the exits are not sufficiently conspicuous.

Clear areas (8) A clear area:

- (a) must be provided from each end of each row to an egress doorway in the wall of the auditorium; and
- (b) must have a width of at least:
 - (i) the sum of the clearances specified in Column 3 of Table 26.9 for each such row, or
 - (ii) 500mm,whichever is the greater, and
- (c) if it contains platforms or steps, must comply with clause 26.8 (8) (a), (b), (c), (d) and (f).

Minimum clear space (9) At the entrance from a row to a clear area, there must be a clear level floor space having a width of at least the clearance specified for that row in Column 3 of Table 26.9.

Doors (10) A door fitted to the egress doorway in the wall of an auditorium must comply with clause 24.53 (13) and (14).

Handrails (11) Where a handrail is provided in front of a row of chairs:

- (a) the distance between the back of each chair in that row, or the handrail at the back of that row, and the first-mentioned handrail must be not less than the distance specified in Column 2 of Table 26.9 for the number of chairs in that row; and
- (b) the minimum lateral clearance between the front of each chair in that row and the handrail must be not less than the clearance specified in Column 3 of Table 26.9 for the number of chairs in that row.

Definition (12) In this clause, a reference to a minimum lateral clearance of a specified measurement is a reference to an unobstructed space having a height above floor level of not less than 2000mm and a width of not less than the specified measurement

TABLE 26.9

Column 1	Column 2	Column 3
Number of seats in row	Depth of rows (mm)	Clearance between rows (mm)
Not exceeding 16	950	300
17 - 30	975	325
31 - 45	1000	350
46 - 60	1025	375
61 - 75	1050	400
76 - 90	1075	425
91 - 105	1100	450
106 - 120	1125	475

Handrails
To be provided

26.10. (1) Handrails must be provided:

- along the fascia of each balcony or box; and
- if there is a stepped floor, along the front edge of each cross-over.

Balconies and boxes

(2) A handrail provided along the fascia of a balcony or box:

- if it is located at the foot of a stepped aisle, must have its top surface at least 900mm above the floor of the balcony or box and
- if it is not located at the foot of a stepped aisle, must have its top surface at least 750mm above the floor, and
- if it has a ledge more than 70mm wide, must have the top surface of the ledge sloping downwards towards the floor at an angle of at least 30 degrees from the horizontal; and
- must have an unperforated kerb or toeguard extending for at least 300m above the floor.

Cross-overs

(3) A handrail provided along the front edge of a cross-over on a stepped floor:

- must be at least 750mm high; and
- must extend for the full distance between aisles, or between a wall and an aisle, or for such other distance as may be approved.

Fixed-back seats

(4) If seats with fixed backs are provided, handrails that extend for the full width of the seating, or for such other distance as may be approved, must be provided along the front edge of a stepped platform at least 500mm above the platform unless:

- fixed seat backs of the next lower level project at least 500mm above the level of the stepped platform; and
- there is only one riser between the platform and the next lower cross-over.

Steps between platforms

(5) If:

- there is more than one intervening step in an aisle between levels of platforms, a handrail must be provided (at a vertical height of at

least 660mm measured above the nosing of each tread and of the upper platform) to the sides of the aisle adjacent to those steps; and

- (b) there is more than one intervening step in an aisle between levels of platforms and that aisle is along a wall, a continuous handrail must be affixed to that wall at a height of at least 865mm above the nosing of each tread; and
- (c) the end of a platform or the back of the highest platform does not abut a wall that extends at least 660mm above the floor level of the platform, a handrail not less than 660mm high must be provided:
 - (i) at the ends of the platform, extending from the front of the first riser to the back of the highest platform; and
 - (ii) at the back of the highest platform, extending the full width of the platform; and
- (d) there is an inclined floor, the raised section of which is not bounded by walls at least 660mm high, a handrail must be provided that extends around the perimeter of the raised section at a height of at least 660mm above the inclined floor level; and
- (e) seating at tables is provided on a stepped platform, a handrail at least 500mm high must be provided along the front edge of the platform.

Division 4 - Ancillary provisions

*Open fire
places etc.*

26.1 1. Open fire places and solid fuel burning stoves must not be installed in a building that is designed for the purpose of:

- (a) exhibiting films; or
- (b) conducting live entertainment.

*Smoke and
heat vents*

26.12. A smoke and heat vent installed in the roof above the stage pursuant to clause 26.4 (2) (a):

- (a) must be capable of automatic operation by the inclusion of a heat sensing device designed to activate the system at a temperature of not more than 71°C; and
- (b) must be capable of being released manually from positions at each side of the stage and of being fully activated from either position; and
- (c) must have a notice, prominently displayed at each position referred to in paragraph (b), clearly indicating the method of activation; and
- (d) must have an openable area of not less than one tenth of the total area of the stage or must be fitted with an exhaust fan that is capable of exhausting:
 - (i) 500 litres per second; or
 - (ii) 10 litres per second per square metre of the performing area of the stage, 20 litres per second per square metre of the remaining area of the stage and 20 litres per second per square metre of the area of the rigging loft,
whichever is the greater.

*Fuel gas
cylinders
Housing*

26.13. (1) Fuel gas cylinders:

- (a) must be housed in an enclosure that is located outside the building; and
- (b) must comply with Clause B.3.2 of the LPG Installation Code.

*Requirements
of enclosure*

- (2) An enclosure referred to in subclause (1) (a):
 - (a) must not be located less than 3m from any window, door, vent or other opening; and
 - (b) if located 3m or more from a building:
 - (i) must have a concrete base; and
 - (ii) must be constructed from heavy-gauge chain-wire mesh or other approved material; and
 - (iii) must be at least 1.8m high; and

- (iv) must be so designed as to securely contain the fuel gas cylinders in a single line; and
- (v) must be so designed as to allow cross ventilation; and
- (c) if located less than 3m from a building
 - (i) must have a concrete base; and
 - (ii) must have 3 sides constructed from concrete or masonry; and
 - (iii) must have a concrete roof; and
 - (iv) must be so designed as to securely contain the fuel gas cylinders in a single line; and
 - (v) must have a hinged, heavy-gauge chain-wire door capable of being secured against unauthorised entry, and
 - (vi) must have its roof at least 600mm above the uppermost fitting on any fuel gas cylinder housed therein; and
- (d) must be fitted with a hinged heavy-gauge chain-wire door capable of being secured against unauthorised entry; and
- (e) must have its roof at least 600mm above the uppermost fitting on any liquefied petroleum gas cylinder housed therein.

Mechanical ventilation

26.14. If a mechanical ventilation system is installed, an emergency isolation switch to close down all mechanical ventilation equipment must be provided in a clearly visible and easily accessible position from the main entry doors, and such a switch must be clearly labelled for ease of identification in an emergency.

Division 5 - Provisions for certain rooms

Dressing rooms

26.15. A dressing room, or 2 or more adjoining dressing rooms, having a total floor area of more than 50 square metres:

	<p>(a) must be separated from other parts of the building by construction having a fire-resistance rating of at least 1 hour, and</p> <p>(b) must have at least 2 means of egress as remote from each other as possible, one of which must discharge:</p> <p>(i) directly to a road or open space; or</p> <p>(ii) through a fire-isolated exit to a road or open space.</p>
<i>Projection suites</i>	<p>26.16. (1) This clause applies to projection suites.</p>
<i>Application</i>	
<i>Rooms to be provided</i>	<p>(2) A projection suite, other than one that is situated in an open-air theatre, must contain:</p> <p>(a) a projection room; and</p> <p>(b) sanitary accommodation, comprising at least 1 water closet and 1 hand bash</p>
<i>Fire separation</i>	<p>(3) A projection suite must be separated from all other internal parts of the building in which it is located by construction having a fire-resistance rating of at least 1 hour.</p>
<i>Openings</i>	<p>(4) If:</p> <p>(a) a projection or observation port is not more than 0.1 square metres in area, a metal shutter not less than 1.5mm thick must be fitted thereto; or</p> <p>(b) a projection or observation port is more than 0.1 square metres in area, a protection system which can maintain the fire-resistance rating of the wall must be fitted thereto.</p>
<i>Shutters and protection systems</i>	<p>(5) A shutter or protection system referred to in subclause (4) must be equipped with an approved device to permit the closing of the shutter or protection system from easily accessible operating positions adjacent to each exit door.</p>
<i>Basement storeys Requirements where 2 or less</i>	<p>26.17. (1) Where a place of public entertainment includes not more than 2 basement storeys:</p> <p>(a) all required exits must be enclosed in non-combustible construction, with the exception of the main entry or exit; and</p>

- (b) the auditorium and other public areas must be equipped with a system of mechanical ventilation that complies with AS 1668 (Parts 1 and 2); and
- (c) a hydrant or hydrants (in such number, and in such location, as may be approved) must be provided:
 - (i) where the auditorium contains levels (being levels that are more than 10m above the lowest part of the auditorium floor) for the accommodation of persons; or
 - (ii) where there is a grid or fly gallery over the stage area.

Requirements
where more
than 2

- (2) If a place of public entertainment includes more than 2 basement storeys:

- (a) the construction must be of at least Type 3; and
- (b) all required exits must be fire-isolated in accordance with Tables 16.7, 16.8 and 16.9;
- (c) the building must be equipped with a system of mechanical ventilation that complies with AS 1668 (Parts 1 and 2); and
- (d) all enclosed stairways must be pressurised; and
- (e) the building must be equipped with a sprinkler system that complies with AS 2118 and with clause 55.17.

Storerooms

- 26.18. A storeroom must be separated from other parts of the building by construction having a fire-resistance rating of at least 1 hour.

*Places used for
films or live
entertainment*

- 26.19. Where a place of public entertainment is used principally for the purpose of:

- (a) exhibiting films; or
- (b) conducting live entertainment,

foyer space (excluding stairways and concession areas) must be provided on the basis of at least 0.25 square metres for each person that the place of public entertainment is approved to accommodate.

Division 6 - Drive-in theatres

<i>Drive-in theatres</i> Applications Speaker standards	26.20. (1) This clause applies to drive-in-theatres. (2) Speaker standards: (a) must be placed at a minimum of 5.5m centres in a line along each parking ramp; and (b) must be capable of being illuminated throughout any performance so as to be easily distinguishable at all times.
Lines of speaker standards	(3) Lines of speaker standards along parking ramps must be placed at a distance of not less than 12.2m apart.
Electrical services to be underground	(4) The following electrical services must be installed underground: (a) the supply authority's conductors within the site and the consumer's mains, unless otherwise approved; (b) electrical wiring external to any building on the site; and (c) all wiring to the speaker standards.
Vehicular entrances	(5) Each public vehicular entrance to or exit from the drive-in theatre must be capable of being fully illuminated by floodlights that are so placed and so focused as not to interfere with the vision of the driver of any motor vehicle.
Driveways	(6) Entrance and exit driveways, and the perimeter of the holding area, must be capable of being continuously illuminated by lamps capable of producing a minimum illumination of 0.5 lux at ground level.
Floodlights	(7) The whole of the ramp area of a drive-in theatre must be capable of being floodlit by means of area floodlights to an illumination of at least 10 lux. (w) by omitting Table 27.2 and by inserting instead the following Table:

TABLE 27.2
REQUIRED HOSE REELS

Column 1	Column 2
Class of building	Location of hose reels
II	In each storey of the building if the rise in storeys of the building is more than 3.
III	In each storey of the building if the rise in storeys of the building is more than 2
IV, V, VI, VII, VIII, IXa or IXb, other than a place of public entertainment	<p>(1) In each storey of the building if the rise in storeys of the building is more than 4.</p> <p>(2) In any storey of the building if that storey has a floor area of more than 500 m².</p>
IXb place of public entertainment	<p>(1) In each storey of the building if the rise in storeys of the building is more than 2</p> <p>(2) In any storey of the building if that storey has a floor area of more than 300 m²</p>

(x) by omitting Table 27.3 and by inserting instead the following Table:

TABLE 27.3
REQUIRED HYDRANTS

Column 1	Column 2
Class of building	Location of hydrants
II, III, IV, V, VI, VII, VIII, or XI	In each storey of the building if the rise in storeys of the building is more than 4.
VI	In each storey of the building if the building has a total floor area of more than 2000m ² .
VII	In each storey of the building if the building has a total floor area: (a) in the case of a warehouse used for the storage or display of goods referred to in Part A of the Second Schedule - of more than 2000m ² ; and (b) in any other case - of more than 3000m ² .
VIIIa	In each storey of the building if the building has a total floor area of more than 3000m ² .
VIIIb	In each storey of the building if the building has a total floor area of more than 2000m ² .
IXa or IXb, other than a place of public entertainment	In each storey of the building if the building has a total floor area: (a) in the case of a school - of more than 3000m ² ; and (b) in any other case - of more 2000m ²

IXb place of public entertainment In each storey of the building:

- (a) if the building has a floor area of more than 500m² but not more than 1000m² and the main entrance to the building is more than 90m from an external hydrant or
- (b) if the building has a floor area of more than 1000m² and any part of the floor of the building is more than 60m from an external hydrant; or
- (c) if the rise in storeys of the building is more than 3.

(y) by inserting after clause 46.6 (3) the following subclause:

Class III
boarding-houses

(4) In a Class III boarding-house:

- (a) separate closet fixtures are not required if the number of persons for whom the building is designed to provide accommodation does not exceed 10; and
- (b) washbasins must be provided at the rate of 1 for every 8 such persons or part thereof; and
- (c) hot water must be provided to all showers, baths and hand basins; and
- (d) where a bath, shower or closet fixture is attached to a bedroom, at least 1 other closet fixture must be accessible without entering a bedroom or dormitory, and
- (e) at least 1 bath must be provided.

(z) by omitting from clause 46.8 the words "and IX building" and by inserting instead the words ", IXa and IXb building, other than a place of public entertainment";

(aa) by inserting after clause 46.8 the following clause:

Places of public entertainment Application 46.8.1. (1) This clause applies to places of public entertainment, other than temporary structures and open air theatres.

Separate sanitary accommodation to be provided

(2) Separate sanitary accommodation must be provided for men and women unless otherwise approved.

Requirements for sanitary accommodation

(3) Sanitary accommodation must be provided as follows:

(a) for women:

- (i) one closet for every 75 persons, or part thereof, that the place of public entertainment can accommodate; and
- (ii) one hand basin for every 150 persons, or part thereof, that the place of public entertainment can accommodate;

(b) for men:

- (i) one closet for every 250 persons, or part thereof, that the place of public entertainment can accommodate; and
- (ii) one unit of urinal for every 100 persons, or part thereof, that the place of public entertainment can accommodate; and
- (iii) one hand basin for every 150 persons, or part thereof, that the place of public entertainment can accommodate,

calculated in accordance with clause 24.28.

Computation of maximum capacity for drive-in theatres

(4) For the purposes of subclause (3), the number of persons that a drive-in theatre can accommodate is equivalent to twice the number of vehicles that the drive-in theatre can accommodate.

Sanitary accommodation for persons using stage and dressing rooms

(5) Sanitary accommodation for persons using the stage or dressing room of a place of public entertainment must be provided as approved

Drive-in theatres

(6) In the case of a drive-in theatre, the following separate sanitary accommodation must be provided for staff employed there:

(a) one water closet and one hand basin for the female staff;

(b) one water closet, one hand basin and one urinal unit for the male staff.

(bb) by inserting after clause 49.7 the following clause:

49.8. The ceiling of the auditorium of a place of public entertainment must at no point be less than 2 400mm above:

(a) the floor, or

(b) any seating platform, immediately beneath that ceiling.

(cc) by inserting after clause 50.4 the following clause:

50.4.1. (1) This clause applies to places of public entertainment

(2) Where general lighting is to be either dimmed or extinguished when the public is in attendance and where the floor is:

(a) stepped; or

(b) at an inclination greater than 1 in 12, aisle lights must be provided to illuminate the length of each aisle and the tread of each step therein.

(3) Where an aisle light is installed in a seat frame, it must be supplied at a voltage of not more than 32 volts (alternating current) or 115 volts (direct current).

(4) Aisle lighting must be provided with an alternative electricity supply that is capable of being automatically energised in the event of failure of the primary lighting electricity supply.

(5) The alternative electricity supply for aisle lighting must comply with the provisions required for emergency lighting.

(dd) by omitting clause 53.9 (1) (b) and by inserting instead the following paragraph:

(b) except for a place of public entertainment, is more than 1m (or 5 risers in the case of a stairway) above the finished level of the adjoining floor or ground.

(ee) by omitting clause 53.9 (3) and (4) and by inserting instead the following subclauses:

(3) The height of a required balustrade or guard must be at least

(a) 1 200mm in the case of a place of public entertainment; and

(b) 865mm in any other case, such height, in the case of a stairway, being measured above the nosings of the stair treads.

(4) The width of any opening in a balustrade or guard must be not more than 125mm.

(5) This clause does not apply to a Class I building.

(ff) by omitting clause 53.10 (9) and by inserting instead the following subclause:

(9) Notwithstanding any other provision of this clause, in a Class IXb building (such as a grandstand, lecture theatre, place of public entertainment or the like containing fixed seating):

(a) access for disabled people:

(i) must be provided to each auditorium, but not to every tier or platform level, and to the main entrance to the auditorium; and

(ii) must be provided at the end of each row, adjacent to the aisle or off a cross-over leading directly to a doorway of the auditorium; and

(iii) if provided at a cross-over, each space for a person using a wheelchair must be located within the row and adjacent to other fixed seating, and must have a width of at least 760mm; and

- (b) the whole of the space allocated for a person using a wheelchair must not infringe on the effective width of aisles by more than 250mm; and
- (c) the minimum number of wheelchair spaces to be provided is to be determined in accordance with Table 53.10 (9); and
- (d) wheelchair accommodation
 - (i) must not obstruct ease of access and egress for other occupants of the auditorium; and
 - (ii) must comply with the other requirements of this Ordinance in relation to seating.

TABLE 53.10 (9)

REQUIREMENTS FOR THE PROVISION OF
WHEELCHAIR ACCOMMODATION

Number of seats in auditorium	Minimum number of wheelchair spaces to be provided for disabled persons
0 - 100	1
101 - 200	2
201 - 400	3
Over 400	3, plus an additional space for each additional 200 seats, or part thereof, by which the number of seats exceeds 400.

- (gg) by inserting after clause 55.5.1 the following clause:

*Places of public
entertainment
Application*

Main
switchboard

55.6. (1) This clause applies to places of public entertainment.

(2) The switchboard containing the main isolation switch:

- (a) must be located in a position that is readily accessible to authorised persons, and to the fire brigade, in the case of an emergency, and
- (b) must be enclosed by construction having a fire-resistance rating of at least 1 hour.

Circuit breakers

- (3) Protection of a circuit originating at a switchboard or distribution board must be by means of circuit breakers.

Separate sub-mains

- (4) Where a place of public entertainment has its mains supply in common with that of another building or where it is a portion of a building
 - (a) the place of public entertainment must be served by a separate and independent sub-main from the main switchboard; and
 - (b) each such sub-main, the consumer's main and the supply authority's conductors within the building must be protected against fire by means of:
 - (i) mineral-insulated metal-sheathed cables or cables that provide at least 2 hours' fire protection; or
 - (ii) heavy-duty PVC conduit or metallic pipe concrete encased in walls or slabs with a minimum of 50mm cover; or
 - (iii) heavy-duty PVC conduit or metallic pipe, buried at least 500mm below ground level, for underground cabling and
 - (c) the main switchboard must be enclosed by construction having a fire-resistance rating of at least 1 hour.

Location of main lighting switch

- (5) The main switch controlling the lighting system must not be readily accessible to members of the public.

(hh) by omitting from clause 55.12 (3) the matter "or IX building and by inserting instead the matter ", IXa or IXb building, other than a place of public entertainment";

<p>Emergency lighting in places of public entertainment</p> <p>Protection of emergency lights from damage</p> <p>Temporary structures Application of certain provisions</p> <p>Definition</p> <p>Provisions re exits</p> <p>Further provisions re exits</p>	<p>(ii) by inserting after clause 55.12 (3) the following subclauses:</p> <p>(3A) In a place of public entertainment, an emergency lighting system must be installed in any storey of the building that is designed to accommodate persons and that is provided with general lighting.</p> <p>(3B) Where an emergency lighting fitting is situated where it is likely to be exposed to damage, the fitting must be adequately protected against such damage.</p> <p>(jj) by inserting in clause 55.12 (6) after the matter "(3)" the matter ", (3A), (3B);"</p> <p>(kk) by inserting after clause 58.3 the following clause:</p> <p>58.4. (1) This clause and clauses 1.3, 1.6, 3.2, 3.3, 4.2, 6.1 and 6.6 (6), Divisions 1 and 3 of Part 62 and Divisions 1 and 3 of Part 63, but no other provisions of this Ordinance, apply to temporary structures within the meaning of Division 4BA of Part 11 of the Act.</p> <p>(2) In this clause, a reference to an entrance or exit does not include a reference to an entrance or exit provided for persons or animals performing in a temporary structure.</p> <p>(3) Exits must be so provided and arranged as to afford a ready means of egress from all parts of a temporary structure.</p> <p>(4) Without limiting the generality of subclause (3):</p> <p>(a) the number of exits to be provided for a temporary structure designed to accommodate a number of persons specified in Column 1 of the Table to this subclause must be not less than the number of exits specified in Column 2 of that Table in respect of that number of persons; and</p> <p>(b) the aggregate width of the exits to a temporary structure designed to accommodate a number of persons specified in Column 1 of the Table to this subclause must be not less than the width specified in Column 3 of that Table in respect of that number of persons.</p>
---	--

TABLE 58.4 (4)

Column 1	Column 2	Column 3
Accommodation provided	Number of exits required	Aggregate width of exits
		mm
1 - 25 persons	*1-2	1 000
26 - 50 persons	2	1 500
51 - 75 persons	2	2 000
76 - 100 persons	2	2 500
101 - 200 persons	2	3 000
201 - 400 persons	3	4 500
401 - 600 persons	4	6 000
601 - 800 persons	5	7 500
801 - 1000 persons	5	9 000
over 1000 persons	5 plus one additional exit for each additional 450 persons or part therof.	9000, plus 500mm for each additional 50 persons or part therof.

* Where only one exit is provided that exit must be at least 1 00mm wide. Where 2 exits are provided each must be at least 500mm wide.

Vertical clearances for exits

(5) Every part of an entrance or exit must provide a minimum unobstructed vertical clearance of 2 000mm and, where the entrance or exit is beneath a stepped seating platform, infilled risers or other approved overhead protection must be provided above the entrance or exit.

Curtains across exit

(6) A flap or curtain used to cover an exit must be so designed that, when it is secured, it will not obstruct or impede egress.

Curtains and blinds generally (7) Curtains and blinds for use in a temporary structure intended to be used mainly for exhibiting films or conducting live entertainment must comply with clause 16.19 (14), (15) and (16).

Projection suites (8) Any projection suite must comply with clause 26.16 (3), (4) and (5).

Flammability index of fabrics (9) Subject to subclause (10):
(a) fabric that is used in the construction of a temporary structure; and
(b) fabric that is within a height of 4m from the base of the temporary structure,
must have a flammability index of not more than 6.

Air-supported temporary structures (10) Where:
(a) an air-supported temporary structure has no other supporting framework, the flammability index number applicable to the whole of the fabric used in its construction must not be more than 6; and
(b) an air-supported temporary structure has other supporting framework
(i) fabric that is used in its construction; and
(ii) fabric that is at a height of more than 4m from the base of the temporary structure,
must have a flammability index of not more than 25.

Handrails (11) A rigid handrail:
(a) must be provided at each end of a stepped or inclined platform, at least 750mm high above the floor of the platform, and must extend:
(i) in the case of a stepped platform, from the front of the first riser; and
(ii) in the case of an inclined platform, from the front of the first row of seating,
to the back of the highest platform and along the rear of that platform for its full width; and

(b) must be provided along the open sides of any open stairwell that penetrates a floor, and must extend at least 600mm above the floor; and

(c) must not obstruct any aisle, cross-over or exit,

Seating (12) Seating must be provided in accordance with clause 26.8 (2), (3) (a), (b), (c) (i) and (d), (4) (b), (6) (a) and (c), (7) (a) and (9) (a), (b), (c) and (d), and a minimum lateral clearance of 300mm must be provided between:

(a) the front of each chair and the back of the chair in front; or

(b) if a handrail is provided in front of the chair, between the front of each chair and the handrail.

Sanitary accommodation (13) Approved sanitary accommodation must be provided at a location convenient to the temporary structure.

Fires etc (14) Except where otherwise approved, no fireplace or other form of heating equipment may be installed in a temporary structure.

Electrical services (15) Electrical services connected to the local supply authority's mains, to a generating plant or to a battery supply must comply with:

(a) the requirements of the local supply authority, and

(b) AS 3002; and

(c) where applicable, AS 3000; and

(d) clause 55.6 (2) (a) and (4) (a).

Artificial lighting (16) Approved artificial lighting must be provided.

Emergency lighting (17) Where the lamps utilised in the general lighting of a temporary structure are of a type that will not relight immediately after the restoration of the primary electricity supply to those lamps:

(a) a time delay or other suitable means must be provided to maintain the emergency lighting for a period not less than that necessary to allow the general lighting lamps to restrike; or

(b) lamps of a type that will provide immediate lighting must be installed and:

- (i) must be arranged in such a manner as to ensure visual conditions not inferior to those required by subclause (20) to be provided by the emergency lighting in that temporary structure; and
- (ii) must be capable of being switched in common with the general lighting and of being controlled also by the override switch required by subclause (18).

Override
lighting
switches

(18) Where, during normal use, general lighting may be dimmed or switched off, an override switch to switch on all the general lighting instantaneously must be installed in a readily accessible position.

Emergency
light.

(19) Emergency lighting must be provided to the areas provided with artificial lighting under subclause (16) and must include a sufficient number of lamps to give a minimum illumination of 0.2 lux at a height of 1m above the floor level of each such area

Power
supply for
emergency
lighting

(20) Where emergency lighting is energised from a battery supply, a central battery bank only must be used, and the capacity of the battery and charging system must be sufficient to provide the illumination required by subclause (19) for.

- (a) half an hour, in respect of a temporary structure designed to accommodate not more than 1 000 persons; and
- (b) 1 hour, in respect of a temporary structure designed to accommodate more than 1 000, but not more than 3 000, persons; and
- (c) such period (not less than 1 hour) as may be approved, in respect of a temporary structure designed to accommodate more than 3 000 persons.

Exit signs (21) Exit signs must be provided above all exits and in such other locations as may be required by the council, and must comply with clause 24.29.

Fire-fighting services and appliances (22) Fire-fighting services and appliances must be so provided as to afford adequate protection, must comply with Part 27 and must be so located as the council, on the advice of the Director-General of New South Wales Fire Brigades, may require.

Definition (23) In this clause, a reference to a minimum lateral clearance of a specified measurement is a reference to an unobstructed space having a height above floor level of not less than 2 000mm and a width of not less than the specified measurement.

(ll) by inserting after Part 61 the following Parts:

PART 62 - APPROVALS AND LICENCES ETC.

Division 1 - Preliminary

Division of Part 62.1. This Part contains the following Divisions:
Division 1 - Preliminary
Division 2 - Places of public entertainment
Division 3 - Temporary structures
Division 4 - Boarding-houses

Definitions 62.2. In this Part:
"**approval**" means an approval issued under Division 4BA of Part 11 of the Act;
"**authorised officer**" has the same meaning as it has in Division 4BA of Part 11 of the Act;
"**Secretary**" means the Secretary of the Department of Local Government.

Division 2 - Places of public entertainment

Application 62.3. This Division applies to places of public entertainment within the meaning of Division 4BA of Part 11 of the Act.

<i>S.530A prescribed matters</i>	62.4. For the purposes of section 530A(2) (g) of the Act, a refusal to issue an approval, and a decision to suspend or cancel an approval, are prescribed matters.
<i>Approvals Council may give</i>	62.5. (1) On application made by or on behalf of the owner of any place of public entertainment, the council may give the owner an approval in respect of that place of public entertainment
Applications	(2) An application for an approval may form part of a building application in respect of the same building.
Application fees	(3) An application for an approval must be accompanied by the fee (if any) fixed by the council in that regard.
Conditions of approval	(4) An approval may be given subject to such reasonable and relevant conditions (being conditions relating to matters concerning the management and use of the place of public entertainment) as the council determines.
Certificates of classification	(5) An approval with respect to a building for which a certificate of classification has been issued may be endorsed on the certificate of classification for the building.
Duration of approval	(6) Subject to any suspension, an approval remains in force until it is cancelled.
Annual fee	(7) An approval is subject to payment of an annual fee of such amount (if any) as the council may determine in that regard.
<i>Notices of irregularity Council may serve</i>	62.6. (1) If, in the opinion of the council: (a) any matter or thing at or in relation to the place of public entertainment contravenes the requirements of Part 11 of the Act or of this Ordinance; or (b) the owner or occupier of the place of public entertainment contravenes Division 4BA of Part 11 of the Act or of this Ordinance; or

(c) the place of public entertainment becomes unsightly, untidy or in such a state as to become a danger to the health or safety of persons using the place of public entertainment,

the council may serve on the owner or occupier of the place of public entertainment a notice of irregularity.

Form of notice

(2) A notice of irregularity

- (a) must be in writing and
- (b) must specify clearly and in ordinary language the nature of the irregularity and what should be done to rectify it; and
- (c) must specify any relevant provision of the Act or of this Ordinance which is allegedly being contravened; and
- (d) must state a time within which the person to whom the notice is addressed is required to comply with the notice; and
- (e) must state the penalty provided by the Act or this Ordinance for failure to comply with the notice.

Copy to be sent to owner

(3) A copy of any notice of irregularity addressed to a person other than the owner of the place of public entertainment must at the same time be furnished to the owner.

Revocation and variation of notices

(4) The council may, by a subsequent notice, revoke or vary a notice of irregularity.

Suspension and cancellation of approvals

Council may suspend approval

62.7. (1) The council may suspend an approval pending compliance by the owner or occupier of the place of public entertainment with:

- (a) a condition of the approval; or
- (b) any requirements contained in a notice of irregularity under clause 62.6 (whether or not the time limited by that notice for compliance with the requirement has expired); or
- (c) a notice to upgrade under section 317D of the Act (whether or not the time limited by that notice for compliance with the requirement has expired).

Effect of suspension	(2) While an approval is suspended, the premises to which it relates must not be used as a place of public entertainment.
Council may cancel approval	(3) The council may cancel an approval if it is satisfied: <ul style="list-style-type: none">(a) that the approval was improperly obtained; or(b) that the owner or occupier of the place of public entertainment has failed to comply with:<ul style="list-style-type: none">(i) a condition to which the approval is subject; or(ii) a notice of irregularity under clause 62.6; or(iii) a notice to upgrade under section 317D of the Act; or(iv) an emergency closure order under section 317JN of the Act; or(c) an annual fee for the approval has not been paid
Notification to be given	(4) A notice of suspension or cancellation of an approval must be given to the owner of the building and (if the owner is not also the occupier) to the occupier.
When suspension or cancellation takes effect	(5) The suspension or cancellation of an approval takes effect when written notice of it has been received by the occupier of the building (or, if the notice so stipulates, on a later date specified in the notice).
Lifting of suspension	(6) Suspension of an approval may be lifted by the council by notice in writing served on the occupier of the building.
<i>Information to be sent to Secretary of Department</i>	62.8. The council must, as soon as practicable, send to the Secretary: <ul style="list-style-type: none">(a) a copy of:

Register Council to keep register

- (i) each approval; and
- (ii) each notice of suspension or cancellation of an approval; and
- (iii) each emergency closure order under section 317JN of the Act, issued by the council; and

(b) notice of each change of ownership of a place of public entertainment.

62.9. (1) The council must keep a register, in respect of each place of public entertainment for which it gives an approval, containing particulars of:

- (a) the date on which the approval was given; and
- (b) the name and address of the owner of the place of public entertainment; and
- (c) the approved capacity of the place of public entertainment; and
- (d) if the approval is suspended or cancelled, the date of the suspension or cancellation and the reason therefor.

Register to be open for public inspection

(2) The register is to be available for inspection by any member of the public at the office of the council during office hours.

Division 3 - Temporary structures

Application of Division

62.10. This Division applies to temporary structures within the meaning of Division 4BA of Part 11 of the Act.

Division binds Crown s. 530A prescribed matters

62.11. This Division binds the Crown.

62.12. For the purposes of section 530A (2) (g) of the Act, a refusal to issue an approval, and a decision to suspend or cancel an approval, are prescribed matters.

Approvals Secretary may give

62.13. (1) On application made by or on behalf of the owner of any temporary structure, the Secretary may give the owner an approval, or a renewal of an approval, in respect of the temporary structure.

Application fees	(2) An application for an approval or for renewal of an approval must be accompanied by the fee (if any) fixed by the Secretary in that regard.
Renewals	(3) An application for the renewal of an approval must be made at least 40 days before the approval would, if not renewed, expire.
Conditions of approval	(4) An approval may be given subject to such reasonable and relevant conditions (being conditions relating to matters concerning the management and use of the temporary structure) as the Secretary determines.
Duration of approval	(5) Subject to any suspension or cancellation, an approval remains in force for such period (not exceeding 12 months from the date of its issue or renewal) as may be specified in the approval or, if an application for renewal of the approval has been made, but not determined, within that period, until the application is finally determined.
Annual fee	(6) An approval is subject to payment of an annual fee of such amount (if any) as the Secretary may determine in that regard.
<i>Notices of irregularity</i> Authorised officer may serve	<p>62.14. (1) If, in the opinion of an authorised officer:</p> <ul style="list-style-type: none">(a) any matter or thing at or in relation to the temporary structure contravenes the requirements of Part 11 of the Act or of this Ordinance; or(b) the owner of the temporary structure contravenes Division 4BA of Part 11 of the Act or of this Ordinance, <p>the authorised officer may serve on the person to whom the relevant approval was issued a notice of irregularity.</p> <p>(2) A notice of irregularity:</p> <ul style="list-style-type: none">(a) must be in writing; and(b) must specify clearly and in ordinary language the nature of the irregularity and what should be done to rectify it; and
Form of notice	

	<p>(c) must specify any relevant provision of the Act or of this Ordinance which is allegedly being contravened; and</p> <p>(d) must state a time within which the person to whom the notice is addressed is required to comply with the notice; and</p> <p>(e) must state the penalty provided by the Act or this Ordinance for failure to comply with the notice.</p>
Revocation and variation of notice	<p>(3) An authorised officer may, by a subsequent notice, revoke or vary a notice of irregularity.</p>
<i>Suspension and cancellation of approvals</i> Authorised officer may suspend approval	<p>62.15. (1) An authorised officer may suspend an approval pending compliance by the owner of the temporary structure with:</p> <p>(a) a condition of the approval or</p> <p>(b) any requirements contained in a notice of irregularity under clause 62.14 (whether or not the time limited by that notice for compliance with the requirement has expired).</p>
Effect of suspension	<p>(2) While an approval is suspended, the structure to which it relates must not be used for the purpose of providing public entertainment.</p> <p>(3) An authorised officer may cancel an approval if he or she is satisfied:</p> <p>(a) that the approval was improperly obtained; or</p> <p>(b) that the owner of the temporary structure has failed to comply with:</p> <p>(i) a condition to which the approval is subject or</p> <p>(ii) a notice of irregularity under clause 62.14; or</p> <p>(iii) an emergency closure order under section 317JN of the Act; or</p> <p>(c) an annual fee for the approval has not been paid.</p>

Notification of suspension or cancellation to be given	(4) A notice of suspension or cancellation of an approval must be given to the person to whom the relevant approval was issued and (if that person is not also in possession of the temporary structure) to the person for the time being in possession of the temporary structure.
When suspension or cancellation takes effect	(5) The suspension or cancellation of an approval takes effect when written notice of it has been received by the person in possession of the temporary structure (or, if the notice so stipulates, on a later date specified in the notice).
Lifting of suspension	(6) Suspension of an approval may be lifted by an authorised officer by notice in writing served on the person to whom the relevant approval was issued.
Register Secretary to keep register	<p>62.16. (1) The Secretary must keep a register, in respect of each temporary structure for which the Secretary gives an approval, containing particulars of:</p> <ul style="list-style-type: none">(a) the date on which the approval was given; and(b) the period for which the approval is to remain in force; and(c) the name and address of the person to whom the approval is issued; and(d) the approval capacity of the temporary structure; and(e) the type of public entertainment that the approval allows to be conducted in the temporary structure; and(f) if the approval is suspended or cancelled, the date of the suspension or cancellation and the reason therefor. <p>(2) The register is to be available for inspection by any member of the public at the offices of the Department during office hours.</p>
Register to be open for public inspection	<p>Division 4 - Boarding-houses</p> <p>62.17. This Division applies to Class III boarding-houses,</p>

*S.530A
prescribed
manner*

62.18. For the purposes of section 530A (2) (g) of the Act, a refusal to issue a licence, and a decision to cancel or suspend a licence, are prescribed matters.

*Licences
council
may issue*

62.19. (1) On application made by or on behalf of the owner of a boarding-house, the council may issue a licence to the owner in respect of the boarding-house.

*Application
fees*

(2) An application for a licence must be accompanied by the fee (if any) fixed by the council in that regard.

*Conditions
of licences*

(3) A licence may be issued subject to such reasonable and relevant conditions (being conditions relating to matters concerning the management and use of the boarding-house) as the council determines.

*Certificate of
classification*

(4) A licence with respect to a building for which a certificate of classification has been issued may be endorsed on the certificate of classification for the building.

*Duration
of licence*

(5) Subject to any suspension, a licence remains in force until it is cancelled.

*Notices of
irregularity
council
may serve*

62.20. (1) If, in the opinion of the council:

- (a) any matter or thing at or in relation to the building contravenes Part 10 or 11 of the Act or this Ordinance; or
- (b) the owner contravenes Part 10 or 11 of the Act or this Ordinance; or
- (c) the building becomes unsightly, untidy or in such a state as to become a danger to the health or safety of persons using the building, the council may serve on the owner of the building a notice of irregularity.

*Form of
notice*

(2) A notice of irregularity:

- (a) must be in writing; and
- (b) must specify clearly and in ordinary language the nature of the irregularity and what should be done to rectify it; and

	<p>(c) must specify any relevant provision of this Ordinance which is allegedly being contravened; and</p> <p>(d) must state a time within which the person to whom the notice is addressed is required to comply with the notice; and</p> <p>(e) must state the penalty provided by the Act or this Ordinance for failure to comply with the notice.</p>
<p><i>Revocation and variation of notice</i></p>	<p>(3) The council may, by a subsequent notice, revoke or vary a notice of irregularity.</p>
<p><i>Suspension and cancellation of licences</i> Council may suspend licence</p>	<p>62.21. (1) The council may suspend a licence pending compliance by the owner of the building with:</p> <p>(a) a condition of the licence; or</p> <p>(b) any requirements contained in a notice of irregularity under clause 62.20 (whether or not the time limited by that notice for compliance with the requirement has expired); or</p> <p>(c) a notice to upgrade under section 317D of the Act (whether or not the time limited by that notice for compliance with the requirement has expired).</p> <p>(2) The council may cancel a licence if it is satisfied:</p> <p>(a) that the licence was improperly obtained; or</p> <p>(b) that the owner of the building has failed to comply with:</p> <p>(i) a condition to which the licence is subject; or</p> <p>(ii) a notice of irregularity under clause 62.20; or</p> <p>(iii) a notice to upgrade under section 317D of the Act.</p>
<p>Notification to be given</p>	<p>(3) A notice of suspension or cancellation of a licence must be given at the same time to the owner of the building and (if the owner is not also the occupier) to the occupier.</p>

When suspension or cancellation takes effect	(4) The suspension or cancellation of a licence takes effect when written notice of it has been received by the owner of the building (or, if the notice so stipulates, on a later date specified in the notice).
Lifting of suspension	(5) Suspension of a licence may be lifted by notice in writing served on the owner or occupier of the building.
Information to be sent to Secretary	(6) The council must send to the Secretary <ul style="list-style-type: none">(a) a copy of:<ul style="list-style-type: none">(i) each licence; and(ii) each notice of suspension or cancellation of a licence, issued by the council; and(b) notice of each change of ownership of a boarding-house.
Register Council to keep register	62.22. (1) The council must keep a register, in respect of each licensed boarding-house, containing particulars of: <ul style="list-style-type: none">(a) the name and address of the proprietor, from time to time, of the boarding-house; and(b) the address of the boarding-house; and(c) the number of rooms in the boarding-house; and(d) the number of bedrooms in the boarding-house for the use of boarders or lodgers; and(e) the maximum number of boarders or lodgers that may be accommodated in the boarding-house; and(f) the maximum number of residents, other than boarders or lodgers, that may be accommodated in the boarding-house. (2) The council must keep a schedule for each licensed boarding-house showing the maximum number of persons that may be permitted to be accommodated in each bedroom or dormitory.
Council to keep schedules	

Register to be open to public inspection (3) The register is to be available for inspection by any member of the public at the office of the council during office hours.

PART 63 - MANAGEMENT AND USE OF PREMISES ETC.

Division 1 - Preliminary

Division of Part 63.1. This Part contains the following Divisions:

- Division 1 - Preliminary
- Division 2 - Places of public entertainment
- Division 3 - Temporary structures
- Division 4 - Boarding-houses

Definitions 63.2. In this Part

- "**promoter**", in relation to a place of public entertainment or temporary structure in which any entertainment or meeting is being promoted or conducted, means the person who is promoting or conducting the entertainment or meeting;
- "**proprietor**", in relation to a boarding-house, means the person who has the day-to-day control and management of the boarding-house.

Division 2 - Places of public entertainment

Application 63.3. This Division applies to places of public entertainment within the meaning of Division 4BA of Part 11 of the Act.

Copy of approval to be displayed 63.4. The occupier of a place of public entertainment must ensure that a copy of the approval for the place of public entertainment is conspicuously displayed in the place of public entertainment.

Fire safety officers To be appointed 63.5. (1) A promoter must ensure that:
(a) if the place of public entertainment has a grid or means of flying scenery over the stage and an approved capacity of more than 2 000 persons; or

(b) if the council so directs, there is on duty, at all times while the place of public entertainment is open to the public for a stage performance, such number of competent fire safety officers as the council may determine in respect of the place of public entertainment.

To have certain functions (2) A fire safety officer referred to in subclause (1):
(a) must wear a distinctive uniform identifying that person as such; and
(b) must ensure that fire fighting equipment
(i) is in the correct location; and
(ii) is in an operative condition; and
(c) must report to the owner of the premises, or occupier, any fire hazard or situation which that person considers may be prejudicial to public safety.

Not to exercise other functions (3) Whenever the public is in attendance at the premises, a fire safety officer referred to in subclause (1) is not to be required to carry out duties other than those referred to in subclause (2).

Stage hands
To operate safety curtains etc 63.6. (1) A promoter must ensure that at least one suitably trained person is in attendance in the stage area at all times during a stage performance for the purpose of operating, whenever necessary, the proscenium safety curtain, drencher system and smoke exhaust system
(2) Except where a fire safety officer is on duty in accordance with the requirements of clause 63.5 (1), the person referred to in subclause (1) must, in addition to the requirements of that subclause, perform the duties specified in clause 63.5 (2) (b) and (c).

Projection suites 63.7. A promoter must ensure that:
(a) at least one suitably trained person is in attendance in the projection suite at all times while a film is being exhibited; and

(b) no member of the public is permitted to enter or remain in the projection suite at any such time.

Smoking and drinking
General prohibition

63.8. (1) Subject to subclauses (2)-(4), a promoter must ensure that persons do not smoke or consume liquor in the auditorium, projection suite, stage area or wings, or in a plant room, store room or property room.

Exemption
re smoking
for certain
premises

(2) Subclause (1) does not apply to smoking where the place of public entertainment is being used for the purposes of a public meeting or for the purposes of:

(a) a public entertainment being conducted at a place where meals or liquor are being served; or

(b) a public entertainment that consists of public dancing,

and if the occupier of the place of public entertainment consents to persons smoking.

Exemption
re smoking
for certain
performers

(3) Subclause (1) does not apply to smoking by persons who are doing so as a necessary part of a performance being conducted on stage or in an auditorium.

Exemptions
re drinking
for certain
premises

(4) Subclause (1) does not apply to the consumption of liquor:

(a) at licensed premises within the meaning of Division 4BA of Part 11 of the Act; or

(b) at premises in respect of which there is in force a permit that has been issued by a member of the police force of or above the rank of sergeant and that permits the consumption of liquor at those premises.

Naked flames
General
prohibition

63.9. (1) Subject to subclauses (2) and (3), a promoter must ensure that persons do not:

(a) expose flame; or

(b) carry, or have in their possession, an explosive, flammable liquid or gas,

in a place of public entertainment.

Exemption for certain purposes (2) Subclause (1) does not apply to:

- (a) the striking of matches or the use of cigarette lighters in connection with smoking where smoking is permitted in accordance with clause 63.8; or
- (b) the exposure of flame in connection with the preparation and serving of meals in approved areas; or
- (c) the exposure of flame in connection with the use of a heater, or
- (d) the carrying of flammable liquid or gas in a cigarette lighter.

Exemption for certain performers (3) The council may, subject to such conditions as it may determine, permit the use of:

- (a) exposed flame; or
- (b) explosives; or
- (c) flammable liquid or gas,

by a performer or performers for the purpose of a performance being conducted

Conditions of exemption (4) Where smoke, gas, other chemical or a similar substance is used for the purpose of a performance, it must be used in such a way as not to:

- (a) create a hazard; or
- (b) cause alarm or discomfort to the audience.

Dangerous performances
General prohibition 63.10. (1) A promoter must not promote or conduct performance that involves danger to the public.

Specific prohibition (2) In particular, a promoter must not cause or allow any nitrate film to be exhibited in a place of public entertainment.

Marking of aisles and cross-overs 63.11. Where it is intended that the audience at a performance be seated on the floor, a promoter must ensure that aisles and cross-overs are clearly defined on the floor.

Aisle lights to be energised 63.12 A promoter must ensure that aisle lights referred to in clause 50.4.1 are energised when:

- (a) the public is in attendance; and

*Locks
Not to prevent exit*

(b) the main auditorium lighting is dimmed or extinguished.

Smoke doors to be kept closed

63.13. (1) A promoter must ensure that any key-operated fastening fitted to an exit door or gate used by the public as a main entrance is so arranged that, whenever the public is in attendance, the tongue or bolt is locked in the retracted position to enable the door or gate to yield to pressure from within.

(2) A promoter must ensure that all required smoke doors are kept closed at all times when not in actual use.

Rope barriers

63.14. A rope barrier may be used across or at the side of an aisle provided that:

- it is secured with spring clips which become unfastened when pressure is exerted on the rope; and
- it has a centre fastening only, and
- it does not trail on the floor when released.

Proscenium curtains

63.15. A promoter must ensure that, where a proscenium safety curtain is installed:

- there is no obstruction to the opening or closing of the safety curtain; and
- the safety curtain is operable at all times.

Authorised officers may exercise certain functions

63.16. An authorised officer within the meaning of Division 4BA of Part 11 of the Act may exercise the functions of a council under this Division.

Penalties

63.17. Any person who contravenes a provision of this Division is guilty of an offence and liable to a penalty not exceeding \$1,000.

Council may require fire-safety information

63.18. The council may at any time require the owner or occupier of the building to furnish a certificate from the National Building Technology Centre, or other approved testing authority, as to the early fire hazard or flammability properties of the finish of a wall, ceiling or floor, or of a curtain, blind or cinematograph screen.

Division 3 - Temporary structures

Application of Division

63.19. This Division applies to temporary structures within the meaning of Division 4BA of Part 11 of the Act.

Application of clauses 63.4 - 63.18 to temporary structures

63.20. Clauses 63.4 - 63.18 apply to temporary structures in the same way as they apply to places of public entertainment.

Division 4 - Boarding-houses

Application of Division

63.21. This Division applies to Class III boarding-houses.

Licensing Boarding-houses to be licenced

63.22. (1) The owner of a building must not cause or permit the building to be used as a boarding-house unless it is the subject of a licence that is in force.

Exemption

(2) This clause does not prevent the owner of a boarding-house in respect of which an approval is suspended from allowing the persons who were residing there, immediately before the approval was suspended, to continue residing there during the period of suspension.

Notice of change of particulars

63.23 The owner of a boarding-house must notify the council of any change of proprietor of the boarding-house forthwith after the change occurs.

Maximum number of boarders of lodgers

63.24. The proprietor of a boarding-house must ensure that the number of boarders or lodgers (exclusive of children under the age of 5 years):

- (a) does not exceed the maximum number of persons allowed by the licence to be accommodated in each bedroom or dormitory, and
- (b) does not exceed the maximum number of persons allowed by the licence to be accommodated in the boarding-house.

Copy of licence and schedule to be displayed

63.25. The proprietor of a boarding-house must ensure that:

- (a) a copy of the licence, and

<p><i>Sleeping facilities</i> Maximum number of persons per room</p> <p>Bedrooms to be numbered</p> <p><i>Partitions</i></p> <p><i>Hygiene</i> Kitchen facilities and utensils to be kept clean</p> <p>Kitchen floor to be impervious</p> <p>Garbage disposal</p>	<p>(b) a schedule showing the numeral designating each bedroom and dormitory and the number of persons permitted to be accommodated in each, are conspicuously displayed in the boarding-house.</p> <p>63.26. (1) The proprietor of a boarding-house must ensure that the maximum number of persons accommodated in a bedroom, or in a cubicle of a dormitory, does not exceed the number determined by allowing a minimum floor area of 5.5 square metres for each person.</p> <p>(2) The proprietor of a boarding-house must ensure that each bedroom is numbered in accordance with the schedule required by clause 62.22 and that there is clearly displayed on the door of or in each bedroom the maximum number of persons allowed to be accommodated in the bedroom.</p> <p>63.27. The proprietor of a boarding-house must ensure that all partitions forming cubicles in a dormitory are adequately constructed and provide adequate ventilation.</p> <p>63.28. (1) Where facilities are provided for the preparation of food, the proprietor of the boarding-house must keep any kitchen facilities and utensils for the storage or preparation of food in a clean and healthy condition, in good repair, free from foul odours and, as far as practicable, free from dust, flies, insects and vermin.</p> <p>(2) The proprietor of a boarding-house must ensure that the floor of any kitchen has an approved impervious surface.</p> <p>63.29. The proprietor of a boarding-house must ensure that:</p> <p>(a) the pans, receptacles or other garbage devices are kept covered and are maintained in a clean and healthy condition; and</p> <p>(b) all garbage and refuse is deposited in appropriate pans, receptacles or other garbage devices.</p>
---	--

*General
cleanliness
and lighting*

63.30. The proprietor of a boarding-house must ensure that:

- (a) all parts of the boarding-house and all appurtenances (including furniture, fittings, bedsteads, beds and bedlinen) are kept in a clean and healthy condition, and free from vermin; and
- (b) adequate light and ventilation is maintained.

*Furniture
and fittings*

63.31. The proprietor of a boarding-house must ensure that appropriate furniture and fittings are provided and are maintained in good repair and, in particular, must ensure that:

- (a) an adequate number of beds, each provided with a mattress and pillow and an adequate supply of clean blankets or equivalent bed clothing; and
- (b) adequate storage space; and
- (c) blinds, curtains or similar devices to screen bedroom and dormitory windows for privacy, are provided for the boarders or lodgers.

Penalties

63.32 Any person who contravenes a provision of this Division is guilty of an offence and is liable to a penalty not exceeding \$1,000

(mm) by inserting in appropriate order in Part 1 of the Fourth Schedule in Columns 1, 2 and 3, respectively, the following matter:

AS 1657	Rules for Fixed Platforms, Walkways, Stairway and Ladders	1. 1.1990
AS 3000	SAA Wiring Rules	1. 1.1990
AS 3002	Electrical Installations - Shows and Carnivals	1. 1.1990

(nn) by inserting at the end of Part 3 of the Fourth Schedule in Columns 1, 2 and 3, respectively, the following matter.

LPG Australian LP-Gas 1 .7.1990
Installation Installation Code
Code

(oo) by omitting Form 1 from the Fifth Schedule and by inserting instead the following form

Form 1

(Cll. 63, 6.3.1)

CERTIFICATE OF CLASSIFICATION

Local Government Act 1919

Ordinance No. 70

Certificate No.:
Application reference:
* City/Municipality/Shire:
Date of certificate:
Building No. or Name: Street:
* District/Town/Village: Postcode:
* Lot/Portion: Section: *D.P./S.P.
Volume: Folio:
County Parish:
Site area:
** Approved capacity
Owner's Name
Owner's Address:
.....
Applicant's Name
Applicant's Address:
.....

* I certify that, for the purposes of Ordinance No. 70, the whole of the building described above is a Class building.

* I certify that, for the purposes of Ordinance No. 70, the several portions of the building described above are classified as follows:

Portion	Class
.....
.....
.....

.....
* Town/Shire Clerk

**CONDITIONS OF APPROVAL,

.....
.....
.....
.....

** Delete whichever does not apply.*

***Applicable only to Class III boarding-houses and Class IXb places of public entertainment.*

Repeal of Ordinance No. 42

3. Ordinance No. 42 under the Local Government Act 1919 is repealed.

Amendment of Ordinance No. 44

4. Ordinance No. 44 under the Local Government Act 1919 is amended by omitting from clause 11 (1) (d) the words ", boarding-house, lodging house,".

EXPLANATORY NOTE

The object of this Ordinance is to amend Ordinance No. 70 under the Local Government Act 1919 so as to make provision with respect to places of public entertainment and temporary structures, as a consequence of the commencement of the Local Government (Theatres and Public Halls) Amendment Act 1989, and with respect to boarding-houses. The matters dealt with by the proposed Ordinance include:

- (a) matters concerning the design and construction of buildings intended to be used as places of public entertainment (Part 26); and
- (b) matters concerning approvals granted in respect of places of public entertainment and temporary structures, and concerning licences granted in respect of certain boarding-houses (Part 62); and
- (c) matters concerning the management and use of places of public entertainment, temporary structures and certain boarding-houses (Part 63).

The Ordinance also repeals Ordinance No. 42 (the ordinance currently regulating boarding-houses) and makes a consequential amendment to Ordinance No. 44 (the ordinance concerning the design and installation of water closets).
