

Special Order made by the One Tree Hill Road Board making By-laws.

Department of Internal Affairs,
Wellington, 20th October, 1920.

THE following special order, made by the One Tree Hill Road Board, is published in accordance with the provisions of the Road Boards Act, 1908.

G. JAS. ANDERSON,
Minister of Internal Affairs.

ONE TREE HILL ROAD BOARD BY-LAWS, 1920.

BUILDINGS, STREETS, SANITARY, WATER-SUPPLY,
DRAINAGE, MOTOR-CARS, HEAVY TRAFFIC.

PART I.

THE One Tree Hill Road Board, in pursuance of the powers and authorities conferred upon it by the Road Boards Act, 1908, the Public Health Act, 1908, the Public Works Act, 1908, the Motor Regulation Act, 1908, and their several amendments, and of every other power and authority enabling in that behalf, hereby makes the following by-laws, to be called "The One Tree Hill Road Board By-laws, 1920."

1. *Former By-laws repealed.*—All by-laws heretofore made, registered by the One Tree Hill Road Board, are hereby repealed.

2. *Interpretation Clause.*—In these by-laws, if not inconsistent with the context, the following words and expressions shall have the meanings hereby assigned to them, that is to say,—

- "The Board" means the One Tree Hill Road Board;
- "The Clerk" means the Clerk for the time being of the One Tree Hill Road Board;
- "The district" means the One Tree Hill Road District;
- "House" includes hotel, boardinghouse, and any building in which human beings dwell or congregate or carry on any occupation, or are intended to dwell, congregate, or carry on any occupation; and includes shops with dwellingrooms attached;
- "Inspector" means any Inspector appointed by the Board for the purposes of these by-laws or any of them;
- "Offensive matter" includes malodorous fish, animal or vegetable substances, nightsoil, faecal matter of any sort, refuse, garbage, rubbish, nightsoil cans or other plant used in the removal of nightsoil, and includes any other matter or substance of an offensive or noxious nature, or being in any way injurious to health.

PART II.

BUILDINGS.

3. *Regulations.*—No person shall erect, add to, alter, or repair any building within the district except in conformity with the following provisions.

4. *Definition of Site.*—The ground upon which any dwellinghouse is erected, together with the whole curtilage thereof enclosed within the boundary fences, walls, or lines of the premises, shall be deemed to be the site of such dwellinghouse within the meaning of these by-laws.

5. *Definition of Building.*—"Building" means any structure or erection (even for a temporary purpose) enclosed within walls having a roof thereto and capable of affording protection or shelter, or which has or is adapted for including in its composition some one or more of the distinctive classes or features contemplated by and dealt with in this by-law, and includes any part of a building or anything affixed thereto.

6. *Buildings under Control of Road Board.*—Every building already erected, or that may be hereafter erected in the district, whether such building be built upon new or old foundations or upon foundations partly old and partly new, and whether such building be an addition to any building already erected, or which may be hereafter erected, and every other work, matter, or thing in respect of which provision is made in this by-law, shall be subject to the control and supervision of the Road Board, and shall be erected, fixed, added to, altered, renewed, or repaired only in accordance with the provisions of this by-law, or any other by-laws of the Road Board for the time being in force relating to buildings, or any Acts of Parliament affecting the premises. Provided always that the Board may delegate or refer any matter or thing connected with any such building or work, as also sundry or specific matters and things connected or usually connected with this by-law, to the Road Board Engineer or Inspector for his approval, direction, discretion, or determination.

7. *Definition of New Dwellinghouse.*—The erection of a dwellinghouse upon vacant land or upon a site previously occupied by any building, or the re-erection of any house pulled down to within five feet of the ground floor, or the

conversion into more than one dwellinghouse of a building originally constructed as one dwellinghouse only, or an addition to or raising of a house (so far as such addition or raising is concerned), or the procuring of an existing dwellinghouse or of any other building or part of a building intended to be re-erected and used as a dwellinghouse or part of a dwellinghouse upon the site, shall be deemed to be the erection of a new dwellinghouse within the meaning of these by-laws.

8. *Notice of Intention to build.*—Every person who shall intend to erect, add to, or renew a building of any description whatsoever shall give to the Board notice in writing of such intention, and at the same time deposit with the Board complete plans and specifications in duplicate (whereof one set shall be retained by the Board) of such intended work, the position, form, and dimensions of such building, and every water-closet, earth-closet, privy, ashpit, cesspool, and all other appurtenances, and of the yard or ground belonging thereto, and of the open space in front and in the rear and on each side, and the building shall be so described as to show whether it is intended to be used as a dwellinghouse or dwellinghouses, or otherwise, and shall give such further particulars as may be required; and no such work shall be commenced until such plans and specifications have been inspected by the proper officer of the Board, and permission given by him that the work may be commenced.

9. *Plans to be submitted.*—Such person shall at the same time deliver to the Board a block plan of such building, together with plan of drainage, and shall show the position of the building and appurtenances of the properties immediately adjoining, which said plan shall be retained by the Board. He shall also deposit with the Board a notice stating—

- (a.) The full name of the person on whose behalf the proposed work is to be done;
- (b.) The locality of such proposed work, together with description of site;
- (c.) The estimated cost of such work;
- (d.) An address within the road district to which all notices by the Inspector to be given under this by-law in respect of the proposed work can be sent.

10. *Plans, &c., to be signed.*—Such persons shall sign all such plans and specifications, or cause the same to be signed by his duly authorized agent.

11. *Inspection of Work.*—Every person who shall erect, add to, or renew a building, or execute any work to which this by-law relates, shall, at all reasonable times during the erection of such building or the execution of such work, and also upon the completion thereof, afford any officer of the Board free access to such building or work for the purpose of inspection.

12. *Building-site Area.*—Except as hereinafter provided, no person shall erect a new dwellinghouse in the district upon a site of less area than one-fifth of an acre, and unless such site shall have a frontage of at least fifty feet to a public road, provided that in the event of a person subdividing or cutting up any property in such manner that the sections fronting the road comply with the foregoing provision, leaving an area at the back of such sections, then such back area may be built upon if the same has a frontage of at least twelve feet in width to a public road: Provided, however, that no such back section shall be of a less area than one-quarter of an acre, and that not more than one single dwellinghouse shall be erected upon such back section.

13. *Building prohibited in certain Cases.*—If any person, being the owner of a site or allotment of ground having an area and frontage of such limited extent that not more than one new house can in compliance with these by-laws be erected thereon, shall erect a house upon any portion of such site, and shall after sell, lease, or otherwise dispose of such portion with the house thereon, it shall not be lawful for any person thereafter to erect a house upon the remaining area of the said site or allotment of ground.

14. *Exceptions.*—Clause 12 shall not prevent the erection of a shop with dwellingrooms attached upon any site having frontage to the main Auckland-Onehunga Road or to the Great South Road, provided that in the erection of such shop and dwellingrooms provision shall be made for the disposal of sewage and offensive matter from such shop and dwellingrooms thereto attached in accordance with any general conditions for such disposal which may be made by the said Board in respect of the special area, or such portion thereof in which the shop is intended to be erected, as the case may be. Conditions for building shops are in every case to be arranged with the Board.

15. *Provisional Section.*—The preceding clause 12 shall not apply to prevent the erection or re-erection of one new dwellinghouse on an allotment, lot, or section which does not comply with the requirements of section 12, but which is shown on any public plan lodged or deposited in the Deeds Registration Office or the District Land Registry Office at Auckland prior to the coming into operation of these by-laws, or on a site owned at the date of these by-laws by a person not owning any adjoining land.