



10d Mine subsidence

Explanatory outline

Part 10d outlines procedures relating to the management of mine subsidence.

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10d.1 Application of this part

This part applies to development described in Column 1 when carried out on land described in Column 2.

Column 1: Type of development	Column 2: Applicable land
<p>Any development that requires development consent.</p> <p>Does not apply to proposals for which a complying development certificate is sought under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.</p>	<p>Any land within a proclaimed <i>Mine Subsidence District</i>.</p>

10d.2 Objectives

The objectives of this part are to:

1. ensure potential mine subsidence hazards are appropriately considered in development approvals
2. identify requirements for mine subsidence studies and reports.

10d.3 Relevant planning instruments & legislation

The *Upper Hunter Local Environmental Plan 2013* is relevant to development to which this part applies.

The *Mine Subsidence Compensation Act 1961* is relevant to this part.

Further planning instruments and legislation may also be relevant. In the event of any inconsistency, the *Upper Hunter Local Environmental Plan 2013* will prevail over requirements or criteria contained in this part.



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10d.4 Supporting plans & documentation

Development applications that are subject to this part should be supported by the following plans and documentation.

Item	When required	Plans or information to be provided
A. General requirements	All applications	Refer to part 2 Preparing and lodging a development application .
B. Mine subsidence building application	All applications subject to this part	Approved mine subsidence plans, as required by the 'mine subsidence building application', explained at http://www.subsidenceadvisory.nsw.gov.au under 'Buying and developing'

10d.5 Assessment criteria

A performance-based approach will be adopted in the assessment of development applications. Applications will be assessed according to the extent to which the outcomes specified in the left-hand column of the following table will be satisfied or achieved by the design, construction or operation of the proposal.

The design guidelines specified in the right-hand column indicate design and best practice solutions by which the required outcomes can be met. They do not preclude other solutions that may be suitable under particular local circumstances. All proposals will be considered on merit.

Outcomes to be achieved	Design guidelines
A. Mine subsidence	
<ul style="list-style-type: none"> ■ Hazards associated with the development of land subject to mine subsidence are adequately assessed, and measures are taken to reduce or minimise hazards to an acceptable level 	<ul style="list-style-type: none"> • Measures recommended in a mine subsidence report to reduce or minimise hazard are to be implemented

10d.6 Supplementary guidance

The following documents or reference materials provide further advice or information that is relevant to this part.

- NSW Subsidence Advisory range of information at <http://www.subsidenceadvisory.nsw.gov.au>