COAL MINE SUBSIDENCE COMPENATION ACT 2017

ORDER UNDER SECTION 24

I, Brendan Killen, Acting Chief Executive of Subsidence Advisory NSW, pursuant to section 24 of the *Coal Mine Subsidence Compensation Act 2017* ("the Act") hereby exempt the following classes of work from the operation of section 21 of the Act, effective 10 May 2018. This order revokes the order gazetted on 19 January 2018.

1. Works constructed within areas subject to Guideline 8 published on the Subsidence Advisory NSW ("SA NSW") website that are certified by a council or an accredited certifier as defined in the *Environmental Planning and Assessment Act 1979* as compliant with Guideline 8 published on the SA NSW website.

2. Residential construction within areas subject to Guideline 6 published on the SA NSW website provided that it is:

   (a) Single-storey or two-storey clad frame or masonry veneer residential building, erected on reinforced concrete footings and slabs, designed and constructed to comply with Australian Standard AS 2870 for the relevant site classification (ignoring Class "P" for a Mine Subsidence site); and
   (b) Masonry is articulated in accordance with the most up-to-date editions of Australian Standard AS3700 and AS4773; and
   (c) Limited to a maximum length of 30 metres and a maximum footprint area of 500 square metres; and
   (d) Certified by a council or an accredited certifier as defined in the *Environmental Planning and Assessment Act 1979* as compliant with Guideline 6 published on the SA NSW website.

3. Residential construction within areas subject to Guideline 5 published on the SA NSW website provided that it is not within a flood-prone area and is:

   (a) Single-storey or two-storey, clad frame or articulated brick veneer residential building, erected on reinforced concrete footings/slabs, designed and constructed to comply with Australian Standard AS 2870 for a minimum Class H2 site (ignoring Class "P" for a Mine Subsidence site); and
   (b) Limited to a maximum length of 24 metres and a maximum footprint of 400m^2;
   (c) Designed and constructed in accordance with the current editions of Australian Standards AS1684, AS 2870, AS3600, AS3700, AS4773, the Building Code of Australia, any other relevant applicable Australian Standards and good engineering practice; and
   (d) Masonry is articulated in accordance with the current editions of Australian Standards AS3700 and AS4773; and
   (e) The gradients on wet area floors, roof gutters and drainage are increased to ensure that they remain serviceable when subjected to 7mm/m tilts; and
   (f) Flexible joints in pipes are designed in accordance with Australian Standard AS3500 to minimum H2 site classification specifications to accommodate curvature in any plane, coupled with tensile or compressive strain; and
   (g) Branches, bends and valve stems are protected by flexible wrapping or shrouds to prevent shearing of the pipes as ground movement occurs; and
   (h) Flexible joints are provided where pipes are connected to chambers or gullies; and
   (i) There are no internal or integrated retaining walls; and

(j) Certified by a council or an accredited certifier as defined in the *Environmental Planning and Assessment Act 1979* as compliant with Guideline 5 published on the SA NSW website.

4. Residential construction, including in-ground concrete and fibreglass pools and retaining walls, within areas subject to Guideline 3 published on the SA NSW website provided that it is:

   (a) Up to four storeys (including any single level basement), designed and constructed in accordance with the current editions of Australian Standard AS1684, AS 2870, AS3600, AS3700, AS4773, the Building Code of Australia, any other relevant applicable Australian Standards and good engineering practice (ignoring Class "P" for a Mine Subsidence site); and
   (b) Masonry is articulated in accordance with the current editions of Australian Standards AS3700 and AS4773; and
   (c) Certified by a council or an accredited certifier as defined in the *Environmental Planning and Assessment Act 1979* as compliant with Guideline 3 published on the SA NSW website.

5. Residential construction, including in-ground and above-ground concrete and fibreglass pools and retaining walls designed and constructed in accordance with relevant applicable Australian Standards and good engineering practice, within areas subject to Guideline 2 published on the website of SA NSW provided that it is:

   (a) Single or two storey brick veneer residential development erected on reinforced concrete footings/slab to comply with Australian Standard AS 2870; and
   (b) Limited to a maximum length of 24 metres and maximum width of 18 metres; and
   (c) Designed and constructed in accordance with the current editions of Australian Standard AS1684, AS 2870, AS3600, AS3700, AS4773, the Building Code of Australia, any other relevant applicable Australian Standards and good engineering practice (ignoring Class "P" for a Mine Subsidence site); and
   (d) Masonry is articulated in accordance with the current editions of Australian Standards AS3700 and AS4773; and
   (e) Does not include basements, suspended slabs or masonry internal walls; and
   (f) Certified by a council or an accredited certifier as defined in the *Environmental Planning and Assessment Act 1979* as compliant with Guideline 2 published on the SA NSW website.

DATED this 10th day of May 2018

Brendan Killen
A/Chief Executive
Subsidence Advisory NSW
By delegation from the Mine Subsidence Board